

# THE OPEN COURT.

A WEEKLY JOURNAL

DEVOTED TO THE RELIGION OF SCIENCE.

No. 405. (VOL. IX.—22.)

CHICAGO, MAY 30, 1895.

One Dollar per Year.  
Single Copies, 5 Cents.

COPYRIGHT BY THE OPEN COURT PUBLISHING Co.—Reprints are permitted only on condition of giving full credit to Author and Publisher.

## LEGAL TENDER.

A POSTHUMOUS ARTICLE.

BY M. M. TRUMBULL.

BECAUSE everybody believes it, it is not therefore true, and because nobody believes it, it is not therefore false. That a dogma or a doctrine is accepted by the majority is a strong argument in its favor, but it is not conclusive. I believe that any maxim, rule, doctrine, or expedient in sociology, politics, law, or in anything else that is out of moral symmetry is out of symmetry altogether; and any principle not built upon an ethical foundation is rickety and dangerous, liable to fall under any unusual pressure brought against it. The present monetary crisis that baffles the skill of our statesmen ought to be convincing proof of this. Further, I believe that any dishonest law approved by any people weakens their sense of magnanimity and their consciousness of moral obligation. A government makes itself a teacher of dishonesty, so long as it keeps among its laws the statutes of legal tender.

In studying the evolution of money as a medium of exchange, we shall find that the law of natural selection has been continually interfered with by governments, because they could more effectually pillage a country by an oppressive use of the "money power" than by any other peaceful instrumentality whatever, and I believe that the "money power" in the hands of government has been more potent in the subjugation of the common people than superstition or the sword. I think I am opposed to the money power exercised by the national banks, and to the money power possessed by certain corporate and incorporate monopolies, by numberless trusts, conspiracies, and combines, and to all the other subordinate "money powers," more or less qualified for evil, but all these are to a great extent controlled by the laws, needs, customs, and obligations of business, while the "money power" known as government is unlimited in authority and wholly irresponsible. One of the great masters of statescraft was the man who invented the scheme of legal tender, as the English kings acknowledged with becoming gratitude when they used it for the spoliation and oppression of the people. They encroached upon the innocent coining privilege, and

claimed the right to regulate all money. They corrupted the money while coining it and after coining it, and they debased the currency at will. Then they made it "legal tender" by punishing those who had the presumption to slander the "King's coin" by refusing to take it at its nominal value in payment of debts. And to this day in England the "King's coin" and the "coin of the realm" are metallic and sonorous legal phrases that assume the political character of money, and place its quality and quantity under the control of the "Crown."

The impudent expression "legal tender," when it appears in any law concerning money, puts that law under suspicion, because honest money needs no legislative whip to make it go. The promise of one man to pay another a hundred dollars is not payment, but there are persons who think that "Government" has the magic power to pay ten thousand million dollars with its own promises to pay. They even expand the miracle, so that a citizen debtor can pay his debts by the simple tender of a government promissory note, whether the creditor is willing to take it or not; and there are thousands of men in Chicago still at large who believe in this impossible alchemy.

There have been in our own country, and in other countries, too, many "circulating mediums" of bad character travelling about as money, and they have done a very profitable and extensive business on false pretenses. Certain substitutes for money, having served for a time in that capacity, declare themselves real money under a licence from the law, and they often do much mischief before they can be arrested and suppressed. For this, government is responsible. It asserts the omnipotent power to create something out of nothing, and with false money it has tempted one part of the community to cheat the other, the most helpless victims of the "green goods" monetary system being the men and women and children who work for wages. It was an arrogant assumption of illegitimate power when governments declared money to be a legal tender in the payment of debts. By doing so they made a political standard of honesty, elastic, uncertain, and shifting from time to time. This despotic legislation has thrown the whole system of human dealing into a chaos of moral confusion. Governments

declare gold, silver, paper, tobacco, coonskins, rum, and various other things to be legal tender in payment of debts, and the result is the debasement of the national conscience and the national currency together.

I do not mean to say that it is not within the legal power of a government to close its courts to creditors and declare that certain coonskins, or other legal tenders, having been offered them, their debtors are free and their debts paid; but in the dominion of morals the act is unconstitutional and void. There justice reigns, and a debt is not paid until the moral obligation it contains is cancelled. Great as this government is, it is not able to pay any man's debt by statute. It may declare the debt expunged, cancelled, satisfied, wiped out, even paid, but only the debtor can pay it. The moral confusion in these cases is created by the wrong word, "payment." A debtor, finding that his debts are paid by legal force, is apt to think that the moral as well as the legal obligation to pay has been discharged by the laws of his country, when, in fact, the moral obligation can be discharged by himself alone. "I owe you nothing," said a dishonest debtor to his creditor, "that note was outlawed last week." In like manner the bankrupt, having passed through the court, thinks that he owes nothing, and that all his debts are paid.

It was a fantastic dream of the alchemists that by chemical expedients they could change the baser metals into gold, but it is a more irrational fanaticism that believes in the power of governments to create money that will pay debts. All the resources and skill of the alchemists failed, and there is no political alchemy that can perform this later miracle. Jackson owes Johnson a hundred dollars, and when Thompson steps in and declares what shall be a legal tender in payment of the debt, we agree at once that the interference is an impudent usurpation, and that in law and in morals it is absolutely void. Now, multiply Thompson by a hundred, or a thousand, or ten million, and you have added no moral quality to his interference; but when the ten million Thompsons organise themselves into the corporation called government, they condense themselves into a physical power strong enough to enforce their will and make it the law of the land; but it is the usurpation of Thompson still. What is wrong for one man to do is wrong for ten million men to do.

For centuries mankind has been afflicted with social wrongs because of the political mistake of governments that they possess the prerogative of creating money. Markets, not governments, determine what is money. No matter what nominal value government may give to coins or paper bills, their actual value in exchange is fixed in the markets of the world. The commercial value given to a piece of paper by making

it a legal tender in the payment of debts is a limited and abnormal value, a dishonest coercion of creditors, and the weakness of it appears in the fact that although the government may compel a merchant to accept it in payment for a debt, or get nothing, it cannot compel him to receive it in payment for his goods. Here the fiat becomes impotent, and the legal tender usurpation fails. No fiat of the government can give a dollar's value to a piece of paper, nor will it pass current until commercial vitality is given to it by the express or implied promise of the government to redeem it in metallic money having the same value according to its weight before coining as after, and independent of the image and superscription stamped upon it.

A very good quality of statecraft was utilised when government stamped upon its coins the effigy of the king, because by that bit of political necromancy it stamped upon the popular brain, which is usually rather soft, the fiction of the "King's coin," and it led the people to connect by an easy mental process the king and the coin together. By this device public attention was diverted from the actual value of the coins, and the people were hypnotised into the delusion that it was the king's portrait stamped upon the money that gave it purchasing power, as our Government reconciles the people more easily to paper money by printing pictures on the back of it representing De Soto discovering the Mississippi, or the landing of Columbus. But coinage adds nothing to the value of the metal coined. Gold bullion is equal in value to gold eagles or gold sovereigns weight for weight. I think the four hundred shekels of silver paid by Abraham for the field of Machpelah were not coins, at least, not legal tender coins, for they were weighed, not counted, and yet they were "current money with the merchant." When the sons of Abraham passed under the dominion of Rome, and those shekels bore the image and superscription of Cæsar their value relatively to the other silver round about them was not changed. The coining of them simply dispensed with the trouble of weighing them. The "image and superscription" merely said to the merchants, "You need not weigh these pieces; Cæsar hath already weighed them, and vouches that they contain so many grains of silver." And wherever those shekels are to-day, whether in shillings or in dollars, whether bearing the image and superscription of Queen Victoria, or our own goddess of liberty, the image and superscription upon them testify only to their weight. Whatever additional value they obtain by reason of their legal tender quality is a dishonest value, the measure of their usefulness in cheating creditors and poor men out of their wages.

Kindred in statesmanship to "Legal tender," and the king's effigy on money was the assumed right of



governments to nickname coins in order to give them an arbitrary and artificial character expressive of no quality in the coins. Why not make an honest ounce of silver a monetary unit and truthfully name it an "Ounce"? If the name of every coin expressed the actual weight of it, the multiple or fraction of an ounce, the people would not be so easily deceived by the fiscal tricks of governments. Florins, francs, dollars, and shillings, are deceitful nicknames, intended to conceal the quality of the money they pretend to describe. They may be of different weights at different times, changing their values and keeping their names, but no government could coin three hundred grains of silver, and call it an ounce without being at once detected, nor could such a coin be made available to cheat the workingman out of his labor.

"BOSTON, Dec. 14, 1893.

"DEAR GENERAL TRUMBULL:

"Your note of the twelfth is at hand.

"I long since came to the conclusion that legal tender acts must have been born of fraud. So long as money of any kind was true to the weight indicated by nearly all the names of coin or other pieces of money, the conception of an act of legal tender could not in the nature of things have occurred to any one. Evidence of an effort to fulfil contracts with money of full weight being a very different matter from prescribing by a legal tender act what kind of money should be offered. I therefore began a system of inquiry among the learned in the law, from judges of the Supreme Court down to young practitioners. Not until very lately could I get a trace of the origin of legal tender. This trace was given me by Prof. James B. Thayer, of Harvard University, who pointed out the edicts of Edward III. as probably being the first legal tender acts among English speaking people. He debased coin and of course he issued an edict making it a penal offence for any one to refuse the King's money. From that time to the present day acts of legal tender have worked corruption.

"If all acts of legal tender were repealed, the conceptions of weight and value would be re-united. Free coinage or the manufacture of round disks of even weight and fineness would be perfectly safe. A given weight of gold would be maintained as the standard of the world's commerce as it is now.

"It happens that in the *Forum* for January which will presently be published you will find this subject treated. I had made an arrangement with a young lawyer with whom I had co-operated in writing an article on 'Personal Liberty' some time since, to work up this whole question of legal tender from its inception. But alas! the young man was struck by death, and I know of no one with whom I could renew the undertaking.

Yours very truly,

EDWARD ATKINSON.

I did not need this letter to convince me that Mr. Atkinson had adopted my views on the subject of legal tender, for in his latest book, *Taxation and Work*, he had already surrendered the doctrine of "legal tender" in a rather qualified way. He says: "There is no need of a legal tender among men who intend to meet their contracts honestly." The qualification does not qualify, because if honest men do not need any legal tender, dishonest men ought not to have its aid,

and Mr. Atkinson might as well have said, "There is no need of legal tender at all."

Commenting on Mr. Atkinson's opinions *The Westminster Review* remarks as follows: "That expression 'legal tender,' by the way, is not a well defined one in Dr. Atkinson's mind. He imports into the well-established phrase the idea that a nation is always on the watch to palm off a coin for more than it is really worth—whereas the value of legal tender is to meet the convenience of the community by earmarking the best medium of exchange; and the history of currency shows us over and over again that if the government sets its seal upon an inadequate medium the nation will set it aside."

The above explanation shows that the phrase "legal tender" is much better defined in Mr. Atkinson's mind than it is in the mind of his critic. *The Westminster Review* thinks that the phrase "legal tender" does not include any debt-paying qualities, but is merely an indirect method of "earmarking the best medium of exchange." This may be all there is of it in England, since the government there has adopted the money standard of the markets, but in the United States it means the privilege of paying debts with depreciated coin or currency. For these latter uses "legal tender" is obsolete in England, although the ancient form of it yet lingers in the monetary system of that country. It is like the vermiform appendage, if I get the name of it right, which lingers in the human body, although its uses have long ago ceased; and the vermiform appendage, as I have been told by scientific men, whenever it chooses to become angry, can make itself troublesome, and, perhaps, dangerous. Even the limited and comparatively harmless character of legal tender, as defined by the *Westminster Review*, condemns it, because the *Review* confesses that government sometimes earmarks an "inadequate medium," instead of the "best medium," and this is a very good reason why government should altogether cease the practice of earmarking money. By the "nation," the *Review* means, of course, not the government, but the people in their markets. And here every "inadequate medium" will be set aside, because the government has no power to make anything a legal tender in the purchase of goods. Where, however, the inadequate medium has the government authority to discharge debts, it may work incalculable mischief before the nation can set it aside. There is a little vainglory in the boast of the *Westminster Review*, for England persisted in earmarking an inadequate medium for seven hundred years.

There is much innocent simplicity in the banter of the *Review* where it laughs at Mr. Atkinson for his unreasonable supposition that a nation is always on the watch to palm off a coin for more than it is really

worth; but if the reviewer had thought historically for a moment he would have remembered that nations have been doing that very thing ever since they came into possession of the "money power." Even England has but recently abandoned the practice, and may begin it again at any time.

In tracing the origin of "legal tender," Professor Thayer did not go far enough, because I find that more than two hundred years before the reign of Edward the Third, King Henry the First debased the currency one per cent., and in that way cancelled a debt of a hundred shillings by the payment of ninety-nine. This was a tax of one per cent. upon industry and business, the injustice of which fell heavily on the workingmen, because they constitute the most numerous portion of the creditor classes, for they are compelled to sell their labor on time; and Prof. Thorold Rogers in his great book, *Six Centuries of Work and Wages*, has convincingly shown that the trick of depreciating the currency and earmarking an "inadequate medium" was potent in the oppression of the workingmen of England from the time of the Black Death down to 1834, when the industrial system of England had the advantage of a more sound and stable currency. It will always be a satire on the partiality of human laws that when a citizen mutilated the coin, or debased the currency, and then made it a "legal tender," he was hanged for it; but the king never was.

Much confusion, not only of mental ideas, but of moral ideas, also, has arisen from an innocent use of words and phrases, such, for instance, as "payment," "legal tender," "full legal tender," and the like. Some people mean by "full legal tender" the power to buy goods as well as to pay debts. This was the meaning given to the phrase by the French Republic, and the penalty for giving it a more limited meaning was death. Yet the legal tender of the French Republic could not buy goods, although it had behind it the French nation, the forfeited lands of the nobility and clergy, and the guillotine. Even England, at a later day, decreed by law that no person should give more for a guinea than twenty-one shillings in paper money, and all persons were forbidden to give less for a one pound note than twenty shillings in silver. This was statesmanship in England as late as the nineteenth century. But it was void statesmanship. Men gave the market value for the paper money, and no more. There was not power enough in the British monarchy to compel them to give more, and the reason of it is that omnipotence is denied to man. Neither Parliament nor Congress can create value. They may take value from one thing and add it to another, as in legal tender legislation, but they cannot create value to the amount of fifty cents.

There is no honest reason for "earmarking" gold in order to convince a people that it is a more "adequate medium" than silver. They can learn that for themselves, and the government might as well earmark wheat in order to persuade us that it is worth more bushel for bushel than oats or turnips. For any honest purpose the earmarking is redundant and superfluous. Shortly after I came to America I "hired out," as they call it, on a farm, and one of my first duties was to help my employer feed the hogs. He surprised me a little by the reckless manner in which he threw forty or fifty ears of corn into the pen. Now, I knew nothing about farm life, for I had always lived in London, and had hardly ever seen a four-footed hog in all my life. I knew nothing of its ability and resources, and so I was foolish enough to say to my boss: "Don't you shell that corn for them?" "No," he said, "they shell it." Now, the people of this country are as able to earmark their own money, without the aid of the government, as those hogs were to shell their own corn. Let the Government stop debasing the currency by "legal tender" legislation and there can be no objection to coining all the sand of California into gold dollars, and all the Rocky Mountains into silver dollars, if there is room for them to circulate through the arteries of trade, and when there is no longer any room for them to circulate, the coinage of them will automatically cease. Abandon the whole system of legal tender, and the money problem will soon be solved.

#### EPIGENESIS OR PREFORMATION.<sup>1</sup>

BY PROF. ERNST HAECKEL.

THE phenomena of ontogenesis, or individual development, possess for our knowledge of phylogenesis the highest import; and this holds true of the plant kingdom as well as of the animal kingdom; it holds true of embryology proper as much as it does of metamorphology or the history of transformations which follows it. The former carries us back, in the simple ancestral cell or fertilised ovum, to the primitive unicellular state from which originally all metaphyta and all metazoa phylogenetically sprang. The latter displays before our eyes in the "metamorphosis of the cornus," and especially of its blossom offspring, the most important stages of the ancestral series, passed through by the thallophytic and cormophytic ancestors of the *Anthophyta*. Although in all *Anthophyta* (and in fact more so in the *Angiospermæ* than in the *Gymnospermæ*) the whole progress of ontogenesis has, by abbreviated heredity, by the transformation of the prothallium into the endosperm, and by other cenogen-

<sup>1</sup> From the new *Phylogenie*. By  $\mu\kappa\rho\kappa$ . The series of which this article is the conclusion ran through Nos. 387, 391, 394, 396, and 398 of *The Open Court*, where readers are referred for the explanation of difficult technical terms.



etic processes, been greatly altered and contracted, yet the comparison of it with that of the *Diaphyta* and *Thallophyta* enables us to point out clearly the palinogenetic road upon which the former have proceeded from the latter. Our fundamental biogenetic law preserves here in all points its elucidative significance.

For a clear understanding of the history of plants, therefore, the theoretic analysis of such ontogenetic processes must be of the highest importance. Different as the process of thought may have been in all the varied old and new theories of evolution, yet all, so far as they have been clearly and logically thought out, can be classified into two opposed groups—namely, *epigenesis* and *preformation*. The oldest *preformation theory*, formerly also called the *evolution theory*, maintained that the whole organism was already *performed* in the germ, and that its development in the true sense was merely an unfolding, *evolutio* (*Auswicklung*), of the *performed*, enfolded parts, *partes involuta*. It was believed that germinal tracts existed in the ovum having the power to develop organs and containing the groundwork of all the subsequently developed parts of the body. As a logical consequence of this view came the *encasement* or *scatulation* theory. As the ground-plans of the future germinal organs were also *performed* in the germ, so the ground-plans of all future generations must have been *performed* and *encased* a thousand fold one in another in the first “*created*” individual of each species.

That this old doctrine of *preformation* which prevailed in the preceding century not only leads to the absurdest consequences but stands in glaring contradiction with the empirically established facts of the history of individual development was, for the higher animals and plants, shown as early as 1759. By painstaking observations it was demonstrated that the germs of animals and plants contain no trace of the multi-form and composite parts of the mature organism, but that on the contrary the latter grew up subsequently by degrees. The separate organs are not *performed* but *new-formed* one after another at different times in different manners. The new theory of *epigenesis* resting on the facts last cited was, however, unable for half a century to win a solid footing. It first found recognition, slowly and gradually, when the more delicate processes accompanying the fecundation and development of the ova were more minutely and successfully investigated. A real understanding of *epigenesis* and its causal import was first effected a century subsequently, by the reform and acceptance of the theory of descent (1859).

Nevertheless, the history of science repeatedly shows that radical errors when associated with fundamental and universal conceptions, are not to be disposed of for all time by plain refutations. From time

to time they appear again and assert on new grounds their old rights. Such is now the case with the doctrine of *preformation*, which appeared to have been definitively disposed of by the *epigenesis* theory. On the basis of extensive observations, and by the employment of much acumen, a new theory of heredity has been propounded during the last ten years having for its foundation the conception of the “*continuity of the germ-plasm*” and reaching its highest development (1892) in an ingeniously constructed organic molecular theory. By its most important phylogenetic consequence, progressive heredity is impugned—in our view the most indispensable precondition of all phylogenesis. Although this new *germ-plasm* theory avoids the crude conceptions of the old doctrines of *preformation* and *scatulation*, and is ostensibly founded on the very delicate and only recently discovered processes in the fertilised ovum, nevertheless it leads in its ultimate consequences to a downright denial of *epigenesis* and to a new and more refined form of mystical *preformation*.

It is not the place here to refute in detail this new *germ-plasm* theory, which has met with the most astonishing success in the last few years; nor is it necessary, for that refutation has been accomplished again and again by competent hands. From the beginning we have stoutly contested this metaphysical molecular theory, as forming in our judgment a momentous retrograde step in the general analysis of the organic developmental processes, and as the opening of a devious path into the domain of dualistic and teleological philosophy. We put together only recently our objections to the doctrine in our *Systematic Introduction to the Phylogeny of the Australian Fauna* (1893), parts of which were published in *The Open Court* (No. 338). But we deemed it advisable now and in this place to repeat our protest, as the lively war between the two opposed theories still continues, and since precisely the ontogeny of the *metaphyta* furnishes us abundant and decisive refutation of the continuity of the *germ-plasm*. All that we have advanced in our *New Phylogeny* on the generation, embryology, and metamorphosis of the *metaphyta*, all the phenomena in the germinal history of the *Thallophyta*, *Diaphyta* and *Anthophyta* speak in our opinion for *epigenesis* and against *preformation*.

#### EPIGENESIS AND TRANSFORMATION.

*Epigenesis* in the history of the germ, and transformation in the history of the race, proceed everywhere hand in hand; the two processes of organic development are inseparably united and mutually explain each other. This fundamental principle rests on the intimate causal nexus which unites the two chief

branches of the history of organic development, and which has found its precisest expression in our fundamental biogenetic law. The laws of heredity and adaptation, of which the former, as a physiological function, is to be traced to propagation, and the latter to nutrition and metabolism, possess, accordingly, equal significance for the ontogeny and phylogeny of each organ. Hence, also, all the various theories recently set up for the physiological explanation of heredity and adaptation possess immediate importance for ontogeny as well as for phylogeny.

This intimate and inseparable connexion between the ontetic and phyletic development must be specially emphasised here at the close of our phylogeny of metaphyta, for the new molecular theory of the continuity of the germ-plasm which in ontogeny has led us back to the old fallacious theory of preformation, enters in this way into the sharpest contrast with the monistic doctrine of the mechanical transformation of the organic world on which the whole theory of descent and phylogeny rests. The constant and gradual transformation of animal and plant forms which we embrace under the notion of phyletic transformation can be explained in a rational manner only by assuming progressive heredity or the heredity of acquired characters; and it is precisely this most important fundamental process of phylogenesis that is vehemently denied by the present champions of the aforementioned germ-plasm theory, nay, rejected as inconceivable—and from their teleological point of view justly so. Here is the decisive point at which one or another of the two theories, either the monistic epigenesis or the dualistic preformation, must win its victory.

When in 1866, in the nineteenth chapter of our *General Morphology*, we made the first attempt to explain the physiological elements of the theory of descent and selection as mechanical natural phenomena, we distinguished for the first time a number of definite laws of heredity and adaptation. We arranged these "laws," or, if the expression is preferable, modalities, or rules, or norms, into four groups. We distinguished on the one hand the laws of *conservative* and of *progressive* heredity, on the other, the laws of indirect (*potential*) and of direct (*actual*) adaptation. In discussing further the complex reciprocal and co-operative actions of these different laws in the struggle for existence, we expressly emphasised the high import which belongs on the one hand to progressive heredity, and on the other, to actual adaptation. For, only provided the products of the latter can be transmitted by means of the first, is *phylogenetic adaptation* in the true sense conceivable. The phylogeny of the metaphyta, the chief features of which have been discussed in our new work, furnishes for our theories an unlimited supply of examples.

In the further discussion of these relations in our *Natural History of Creation*, we mainly emphasised the significance that *constituted heredity* possesses among the different laws of progressive heredity, and *cumulative adaptation* among the norms of actual adaptation. The alterations of organs, which the organism effects by its own activity, progressive growth by exercise, retrogressive growth by disuse, can be transmitted to descendants by heredity. The trophic effect of functional irritations can, by direct mechanical motions, produce within the tissues in this process the greatest conceivable perfection. That "cellular selection" which is due to the constant struggle of the parts of the organisms is incessantly at work in the tissues of the metaphyta, as well as of the metazoa. The "cellular divergence" which follows of necessity therefrom is the cause of the differentiation of tissues. It is obvious that these cumulative and functional adaptations possess phylogenetic significance only in the event that they can be transferred to descendants by progressive heredity; and since their influence in the histone organism is everywhere observable, since, further, an intimate correlation subsists everywhere between the cells of the propagative organs (*germino-plasma*) and the cells of the other organs (*somato-plasma*), therefore, we have in these facts at the same time an indubitable disproof of the theory of the continuity of the germ-plasm, which asserts a complete separation of the latter from the somato-plasm.

Finally, as utterly futile and valueless must be regarded the attempts which have been recently made to discover a middle path between these two opposed theories, and to blend together the correct fundamental ideas of both. According to our settled conviction, only *one* of the two can be true. Either preformation and creationism, or epigenesis and transformation. If the whole developmental process of organisms rests on vitalistic and teleological principles, that is, is determined by final causes, then we must accept in ontogeny the theory of preformation and scatology, and in phylogeny supernatural creationism or the "creation dogma." If, on the other hand, all biogenesis is based on mechanical and monistic principles, that is, is mediated solely by efficient causes, then we are forced in ontogeny to the assumption of epigenesis, and in phylogeny to the assumption of transformism. The history of the world of plants whose fundamental features we have here laid down, leads us, like that of the animal world, to the conviction that the latter only contains the truth, and the former a vital error. Only by the assumption of epigenesis and transformation is the existing harmony of the general results of palæontology, ontogeny, and morphology—those three grand monuments of systematic phylogeny—to be explained.



## CORRESPONDENCE.

## "TRILBYMANIA."

To the Editor of *The Open Court* :

Under the head of "Trilbymania," in your issue of April 18, "Outsider" gives your readers a long review and criticism of Du Maurier's *Trilby*. A careful reading gives me an impression that he read the book hastily, and he mistakes important portions in his synopsis of the story.

"Outsider" tells us Trilby disappeared and was gone a long time, concealed in the neighborhood in the house of a friend, but Svengali found her out. In fact she left Paris entirely; took her little brother and went to Vibraye. There the three painters and Svengali wrote to her. In a short time her brother died, and she went back to Paris in disguise. She was subject to neuralgia in her eyes. Svengali had once relieved her by mesmeric treatment. On her return to Paris, having no place to go, being half crazed with grief and neuralgia, she went to Svengali's quarters to have him cure her neuralgia; and this is how they came together.

There is no doubt but Svengali believed that by use of hypnosis he could make Trilby's wonderful voice subject to his own exquisite perception of tune and time. Du Maurier says of him, "He grew to understand the human voice as perhaps no one has understood it before or since. . . . In his head he went for ever singing. . . . as probably no human nightingale has ever yet been able to sing out loud, . . . making unheard heavenly melody of the cheapest, triviallest tunes." Gecko, in his last interview with Taffy in Paris twenty years after, says of him, "Svengali was the greatest artist I ever met, . . . he was a demon, a magician, I used to think him a god! . . . he was the greatest master that ever lived." As to teaching Trilby Gecko said, "We taught her together—for three years—morning, noon, and night, six to eight hours a day. . . . We took her voice note by note—there was no end to her notes, each more beautiful than the other. . . . Let any other singer try to imitate them, they would make you sick. That was Svengali, . . . he was a magician." "There were two Trilbys. There was the Trilby you knew who could not sing a single note in tune. . . . With one wave of his hand over her, with one look of his eye, with a word, Svengali would turn her into the other Trilby, *his* Trilby, and make her do whatever he liked. You might have run a red hot needle into her and she would not have felt it. He had but to say 'Dors,' and she became an unconscious Trilby of marble, who could produce wonderful sounds—just such sounds as he wanted and nothing else. . . . Trilby was just a singing machine, a voice and nothing more, just the unconscious voice Svengali sang with, for it takes two to sing like La Svengali, the one who has got the voice and the one who knows what to do with it. . . . When you heard her sing . . . you heard Svengali singing with her voice."

I bring these scraps of quotation together here as a foundation for saying, first, that Du Maurier makes Svengali a master in knowledge of and in teaching the human voice—not singing himself. I think it is a historical fact that many of the most famous teachers did not sing—bad no voice; but with perfect time and tune, knowledge of the anatomy, mechanics, dynamics, and of all the possible means, uses, and effects, they could teach. To this Svengali added mesmeric or hypnotic force.

Second. If what is claimed for hypnosis by very high authority is true, there is nothing improbable in Du Maurier's statements about Svengali and Trilby. That it is not true can be only an opinion, and not demonstrated fact on which one can justly base an assertion that Du Maurier's work is a failure or that his statements are impossible.

Little Billee did not form an attachment in Devonshire after he went back to England. The fact is he had lost the power to love any one.

"Outsider" tells us that Trilby's debut in London was a great success, and Little Billee's love for her had all returned; but at her *second* appearance Svengali died of apoplexy as she came on the stage. In fact Svengali died at her debut, and the debut was a lamentable failure.

"Outsider" tells us: Trilby was insane and had lost her mind and memory after Svengali's death, yet the author makes her argue wiser than a philosopher on theology. The fact is, she was in her right mind and memory. She only had no memory of what happened while under hypnosis. That was her condition most of the time for three years while with Svengali, according to Gecko's statement to Taffy and his wife afterwards. Gecko tells them she was not mad. She did not remember or know what she did when mesmerised. There seems to be nothing deep in her talk about theology. Her ideas of prayer, of death, of the hereafter, as told to Mrs. Bagot, were simply childish faith and belief, based on what she had heard her father say, and in whom she had confidence. Other mistakes about facts leave the inference that "Outsider" read hastily, or imperfectly remembered the facts when he entered on a critical review of one of the most remarkable books of modern times, as it impresses me.

"Outsider" gives us a long extract from his own diary of his views of Mrs. Ward's novel *David Grieve*, which he had condemned, as being unnatural and impossible in incidents and characters; and he finds that judgment applicable now to *Trilby*; giving credit, however, for brilliant and impressive writing, with modifications in favor of *Trilby*; but as a novel, even a psychological one, pronouncing it a "dead failure."

Having read *Trilby* with care (and it must be so read to be comprehended fairly), it seems strange to me that it could impress any one as it seems to have impressed "Outsider," who is evidently a finished scholar and ready writer.

The book impressed me in this way. That any one who is fairly well informed, who has anything of an emotional temperament, or who, as a scientist or philosopher, understands the emotional nature, who has some sense of humor, who can appreciate the beautiful, who can comprehend something of idealism and realism, who loves truth, courage, and generosity, who can feel genuine sentiment and realise the bearings of fact under the glitter of imagination, who has a desire for the elevation of his kind, can take up *Trilby* as a classic, read it many times and find something new in it or in the suggestions it stimulates at every reading. He can find texts for a sermon or an essay in some of its parentheses. It is not a book to be read merely for the story, though that is thrilling and educational. Accidentally or intentionally the author has given us matter for several books in one. It is *sui generis*. It has no model. It cannot be compared with any other work. It is a novel only as it tells a connected story. The story is only a shape on which to display a great variety of things. As well call the human skeleton the body. It has no repulsive character in it. Even Svengali is a hero and full of interest to us. In characters and incidents it is natural and not improbable or impossible. It approaches exaggeration just near enough to add interest without repulsion. It touches more subjects intelligently in rapid succession than any other work of fiction I ever read. It does not keep us waiting impatiently, or break or tangle the thread of regular progress, or in any place tire us or create a disposition to skip. It has no abrupt breaks, or leaps, or lapses, or by-ways, or side tracks. No groupings of incidents and characters to be left behind to go back after and bring up later, and after we have started on a journey with others. No straggling or losing of characters. They are all disposed of in such a way that they drop out and come back again when wanted—if wanted—at the right time

and place, of themselves, in a natural, consistent way, without interrupting the current of our interest and enjoyment. Whatever it touches on it treats without being tedious and in a manner to impress the memory, appeal to the intellect, awaken a sense of humor, or stimulate curiosity and wonder, or excite surprise, or arouse sympathy, create enjoyment, and leave more suggestions and fewer regrets than any creation of modern times.

The pictured illustrations are simply wonderful. Their truthful adherence to personality and situations seem perfect, except as to Svengali. They contradict the personal description given of him, but are speaking likenesses of such a character as he is described—just such a person as one would expect from the character. I read *Trilby* for the story as an engineer would run a preliminary line for a railroad, leaving the critical surveys to be made afterwards, with corrections and estimates. Then I read it for the study of its characters and its own development and maintenance of them. And again for its situations, its philosophy, its idealisms, realisms, romance and fact, in contrast and combined. Once more for its imagery and beauties of description. Finally, for its literary composition, its wonderful language, use of words and sentences to accomplish a purpose, its rhetoric, logic, criticisms, inventions in comparison, its parentheses taken with the text and in their implications alone; each time keeping in view the special object of reading; and afterward I felt inclined to pick it up and read portions of it from time to time. Each character fits its place. Each situation comes naturally. The book is mathematical as a whole. Strike out any character or incident, or course of action and its proportion will be marred or destroyed. It does not seem like a studied design; but as if the author started with some fixed ideas, and after starting it ran off his pen as a sort of inspiration over which he had no control. It has few repetitions.

Of course, the book is not above criticism. What he says about fiddles (p. 231) is a bit of careless writing. His method of securing hypnotic influence on Trilby in her last scene challenges the critics. It was easy to have Svengali's picture produced in a natural way, without any special mystery. As he introduces it, it seems like an unnecessary crook in an otherwise straight road.

The story has been put on the stage. As well try to dramatise one of Paul's epistles and give a correct idea of it. Few read the story for comparison and analysis. Disjointed portions are selected by the supersensitive and moralising to try to find something immoral or heterodox. Reviewers have hurried through it to write reviews. The story was thrilling enough to be popular. But, as it seems to me, to the student it is far more than a story. To him it is a new creation unlike any other production in the world of fiction. He does not compare it with anybody's novel. It is to him simply "*Trilby*, by George Du Maurier," and as such remains in his memory as one of the most enjoyable and curious things that has come to him.

Trilby lives in our curiosity until she ceases to be a model; thence on, she lives in our pity, wonder, and admiration. In thinking it all over it is impossible to form a thought that does not tend to a higher level. Not an immoral thought, or suggestion, or an impulse to say, do, or feel in harmony with, an immoral thing enters the mind. We cannot read any of the classics, or a single daily paper in any day in the year, without finding oceans of matter immorally suggestive, compared to drops in *Trilby*, if any thing in Du Maurier's composition of the latter is considered immoral. It seems to me that only to a prude is a criticism of *Trilby* as teaching immorality possible.

No review should prevent those who have not but would like to read *Trilby*, from reading it; and those who read it most deliberately and carefully will appreciate and enjoy it most.

Such are some of the impressions left with me from the reading of *Trilby*, in contrast with those of "Outsider."

C. H. REEVE.

## NOTES.

The Pittsburgh News Company have just published a little pamphlet of eleven pages by C. V. Tiers, under the title *A Gold Standard But Not Gold Money*. The author proposes to change the present ambiguous inscription of the greenbacks which reads: "The United States will pay bearer one dollar" to "This is a legal tender in the United States of America for one dollar for all debts public or private, and has an exchange and debt-paying value equal to 25.8 grains of standard gold (i. e. 900 fine)." Mr. Tiers explains the present trouble in our finances as due to the ambiguity of our treasury notes which were first made in 1862. He shows the unfeasibility of the double standard system. A true double standard ought to make a legal-tender note equal to the combined value of 17.2 grains of standard gold and 275.2 grains of standard silver. The double standard, as usually proposed, would force gold immediately to a premium, drive it out of circulation, and thus really produce a silver standard. It would not, however, raise the value of silver and could only pull down the value of gold.

We are informed that the Second American Congress of Liberal Religious Societies, which is to meet at the Sinai Temple at Chicago on June 4, 5, and 6, promises to be a great success. Dr. Alfred Momerie of London, Rabbi Voorsanger of San Francisco, Rev. Dr. Herron, and President George A. Gates of Iowa College, Grinnell, Iowa, are expected to be present. Dr. Hirsch, Dr. Thomas, Dr. Gould, and Jenkin Lloyd Jones are the leading spirits of the Congress.

Prof. Alcée Fortier of Tulane University, Louisiana, has recently collected and edited a number of *Louisiana Folk Tales*, in French dialect and English translation. The volume is published under the auspices of the American Folklore Society, and is got out in handsome and substantial shape. The tales are printed on the even pages in the Creole, and on the odd pages the English translations are given. (Boston: Houghton, Mifflin & Co.)

# THE OPEN COURT

"THE MONON," 324 DEARBORN STREET.

CHICAGO, ILLINOIS, Post Office Drawer F.

E. C. HEGELER, PUBLISHER.

DR. PAUL CARUS, EDITOR

TERMS THROUGHOUT THE POSTAL UNION:

\$1.00 PER YEAR.

\$0.50 FOR SIX MONTHS.

N. B. Binding Cases for single yearly volumes of THE OPEN COURT will be supplied on order. Price, 75 cents each.

## CONTENTS OF NO. 405.

LEGAL TENDER. (A Posthumous Article.) M. M.

TRUMBULL..... 4511

EPIGENESIS OR PREFORMATION. PROF. ERNST

HAECKEL..... 4513

CORRESPONDENCE.

"Trilbymania." C. H. REEVE..... 4517

NOTES..... 4518