

and of the press." "We have rejected," he observes later, "all propositions looking to the deportation of aliens who have been permitted to land in our country." And he adds the salutary general caution: "We are treading on unknown and untried ground, and it is wise to keep within Constitutional limits." All this is well and soundly put. It is naturally a pleasure to us to see the Judiciary Committee supporting in this way the position which we took in that mad week in September when the passion for "putting down" anarchy by anarchical methods seized upon, and carried away, so many ordinarily sensible newspapers and public leaders and clergymen.

The chief aim of the bill is to establish immediate Federal jurisdiction over criminal assaults upon the President of the United States, or any officer "entitled by law to succeed to the Presidency." One section extends such jurisdiction to the case also of an "Ambassador or Minister of a foreign state," killed while in this country. This is by way of abundant precaution, but seems a proper step towards safeguarding and making more dignified the attitude of this Government towards others. If it could be followed up by a statute giving Federal courts jurisdiction in case of any alien murdered in this country, we should think it a great advance. But that, we suppose, is at present impossible. The bill is guarded in its definition of the crimes it would punish. The assault or murder must be committed while the Federal officer is "in the performance of his official duties, or because of his official character." Private griefs and private vengeance are excluded. Section 8 uses the phrase "unlawful killing," which the report explains as intended to rule out killing under great provocation, or in self-defence, or in any way that would constitute a legal justification. Finally, as Chairman Ray points out, the enactment of the proposed statute would not prevent a State from punishing the offence of killing or assaulting the President or any one in the line of succession. The aim is to arm the general Government with a weapon which it may use in case of inaction by any State.

All these parts of the bill appear to be in line with judicial precedent and the canons of good legislation. No cruel or unusual punishments are provided. The section which would make a "principal offender" of "any person who aids, abets, incites, or conspires with another" to commit the offences named in the bill, does not, we believe, depart from the existing law of conspiracy. There is little ground for criticism, in fact, until we come to those sections intended, not to repress and punish crime, but to repress and punish anarchism. Here the bill stumbles, as does every man who undertakes to legislate against a state of mind. It is one thing to draft

a law for fining or imprisoning "any person who advocates, advises, or teaches the duty, necessity, or propriety of the unlawful killing or assaulting of one or more of the officers of the Government," but quite another to devise a criminal statute against any man "who disbelieves in or who is opposed to all organized government."

Under the bill, no man holding those abstract views shall be permitted to enter the United States, nor, if he is already here, allowed to take out papers as a naturalized citizen. The impossible enforcement of this section is discreetly left to that unhappy man, the Secretary of the Treasury, who is to make the needed "rules and regulations." As the report innocently says, "the details" are left to him. But the details are everything. Any one may express a pious wish that no immigrant of anarchistic principles should be allowed to land. But how to find out if he has those principles? By the very hypothesis, he is a man who will stop at no crime. He would kill every Government official cheerfully, and lay whole cities in ashes without the quiver of an eyelid; yet it is supposed that he will have scruples about lying or perjury! We doubt very much if these unenforceable sections of the bill can survive debate in the House and Senate; and we are confident that, if they do, they will instantly become the dearest of dead letters. It seems a pity to encumber with such rubbish a bill which, in the main, is so commendable.

POSTER REGULATION.

It has long been recognized that a certain kind of vulgar advertising is a positive disfigurement of city-street or rural landscape; and various sporadic efforts, chiefly on the ground of good taste, have been made to remedy the evil. A decision of the Appellate Division of the Supreme Court of New York has established the principle that a city—Buffalo in the test case—may by ordinance limit the size of posted advertisements. This was virtually to declare that a certain kind of advertising is so great an offence to the eye as to constitute a public nuisance, and, being such, falls as properly under restrictive laws as reeking chimneys or malodorous factories. It was probably this decision that heartened the American Scenic and Historic Preservation Society to prepare the admirable bill now before the State Legislature.

Assemblyman Landon's bill follows conservatively the approved lines of French and Belgian legislation on this subject. It imposes upon all posted advertisements, except those displayed where the business advertised is actually conducted and those required by law, a stamp tax of one cent for every two square feet—reckoned by the greatest

height and breadth of the printed or pictured surface—of posters displayed in public. In consideration of the payment of this tax, the advertiser receives the additional guarantee of a fine of \$5.00 upon any person who destroys or defaces a poster properly stamped. The tax is a very moderate one. The average poster displayed at the stations of the elevated railroad and the publishers' placards at the news-stands would be taxed one or two cents. The larger paintings on the hoardings—pity that this kind of art cannot be honored with a surtax—would pay only from twenty-five cents to a dollar or so. It is to be feared that a colossal codfish-bearer, who reminds passers on the Brooklyn Bridge that New York is primarily a centre of coughs, colds, and consumption, would, under the proposed law, be able to ransom himself at a ludicrously low price for the disfigurement he causes.

In fact, criticism of the Landon bill must be chiefly of its conservatism. In France and Belgium, posters are taxed progressively by size. In France, posters up to 7 inches square are taxed one cent; 7 to 10 inches, two; 10 to 14 inches, three; all larger, four cents. Painted advertisements are taxed at a much higher rate, on a sliding scale, according to the population of the city in which they are displayed. In a general way the French taxes are from three to four times those proposed in the Landon bill. In Belgium the minimum rate is practically that which is to be tried in New York, but every increase in area beyond the statutory 196 square inches (14 inches square) is so heavily taxed that very large posters are practically prohibited. When the new law—for we must assume that so admirable a measure will meet no serious opposition in the Legislature—has been tried for a year or two, it will be easy to make amendments, possibly such as should discriminate against the larger, and certainly more unsightly, class of painted advertisements. The important thing is to establish the principle that posters may and should be taxed.

Besides the Supreme Court decision already cited, there are numerous arguments for this innovation. Unquestionably the massing of large and hideous advertisements is something more than a sentimental offence. If the wall of Central Park could be lined with hoardings like the approaches to New York through the Newark meadows, the effect in diminishing the residential desirability, and consequently the price, of real estate would be quickly felt. Similarly, if less markedly, to deface a beautiful countryside by the appeals of pill-men and pad-men, distinctly lowers its standing, not only from the æsthete's point of view, but also from the real-estate agent's. It need not be urged that the multiplication of advertising boards which obscure the street sign,

partially at our elevated stations and completely at those of the London underground, is a nuisance of the most palpable kind. In this connection the petition of Mr. Maltbie, Chairman of the Committee on Advertising Signs of the Municipal Art Society, deserves attention. He asks Comptroller Grout that no advertising signs shall be allowed in the proposed subway to Brooklyn, and he cites the example of various English cities which, upon assuming control of the street railways, have, as a matter of municipal pride and expediency, entirely abolished all posters in the cars and stations. It is hardly necessary to argue further the proposition that he who offends the eye grievously is quite as amenable to restriction as he who offends the ear or the nose.

We should not, however, look upon ourselves as sinners above other men in this matter. We have not yet produced any advertising mechanism so monstrously absurd as the average London bus; and if the English have preceded us in this reform, it was because their need was greater. It should not be for a moment imagined, either, that the Landon bill is drawn in a spirit of hostility to legitimate advertising. The advertisers can but gain by withdrawing from the scramble and studying effective means of attracting the passing throng. The shrewdest advertisers have long ago perceived that an attractive design and legend in the right place is worth many blatant hoardings in any place. The great multiplication of ugly pictorial signs, in fact, probably represents rather the enthusiasm of the advertising agencies than the sober judgment of the individual advertiser. It is because the Landon bill is so much in the interest of all concerned that we confidently urge its enactment into law.

ROYALTY AT THE NEW GALLERY.

LONDON, January 15, 1902.

The present royal family in England have shown themselves so indifferent to art, or rather so ready to prefer the vulgar and the tawdry to the good, that one is apt to forget what distinguished patrons of art British Kings and Queens have been in the past. The name of Holbein adds greater glory to the House of Tudor. The Stuarts would be half forgotten but for Van Dyck, and, in a lesser degree, Lely and Kneller. Even the Georges had the intelligence to recognize—though dimly—the distinction they could borrow from the great painters of their day, from Reynolds and Gainsborough, Romney, Hoppner, and Lawrence. It was really not until the Victorian era that the second-rate and the mediocré came into fashion at court. There was, therefore, every reason to look forward to a fine and important collection of portraits when the New Gallery announced the "Monarchs of Great Britain and Ireland" as the subject of its winter exhibition.

But, unfortunately, the managers of the exhibition seem to have been seized with unnecessary scruples. Within the last

decade there have been Tudor and Stuart and Guelph shows at the New Gallery, where many fine portraits were hung. These portraits, apparently, the managers have hesitated to hang again lest they risk the charge of repetition. A good thing, however, cannot be seen too often; indifferent work is not worth seeing once; and by far the greater number of portraits in the present collection are of indifferent merit.

Historically, the series is wonderfully complete, and for the student of history the interest is great. From Edward III. down to Edward VII., there is not a break, not a gap, in the royal succession. There is even a record of so remote an event as the marriage of St. Ethelreda to Egfrid, King of Northumberland, though, to be sure, the record itself dates no farther back than the fifteenth century. It was the misfortune of the earlier kings that none but the Primitive was then alive to paint them. Sometimes, if not always, the Primitive came from abroad. Lucas Cornelisz and Jan de Mabuse are names with which some of the first pictures are labelled. But while the Primitive might give an amusing chronicle of amusing costume, a decorative design in which the heraldic device in one corner and the lettering in another are as important as the face and figure of the sitter, he could not make the men and women he painted live for you, he could not make them stand upon their legs, real human beings of flesh and blood. In all the portraits before Holbein, and in many after, the kings and queens seem mere symbols of royalty, though often the symbol suggests what you cannot help feeling to be an accurate likeness. The three or four portraits of Henry V. bear a striking resemblance one to another; in each the same serious, thoughtful face, only the full red lips reminding you that this stern, ascetic monarch was once the boon companion of Falstaff, the hero of revels at the Boar in Eastcheap. The heavy cheeks, little bead-like eyes, and thin lips are the same in every portrait of Henry VIII.; but then, by this time Holbein had come to England and given lesser painters a model. There are several portraits of Henry and Edward VI. and other members of the same royal family attributed to Holbein; but I believe it is generally admitted that few paintings of the kind in England are really by him, and I know that none at the New Gallery could, with credit to the German master, be claimed for him. On the other hand, there is the large cartoon lent by the Duke of Devonshire, drawn by Holbein for the fresco at Whitehall that was long since destroyed by fire; a splendid piece of drawing. In the foreground of a stately architectural design, the life-size, full-length figure of Henry VIII. swaggers, large, massive, the legs well apart in the familiar pose; the costume is the one that has been copied again and again, until we know it as well as the coat and trousers of to-day; the gross, sensual face is as real to us as the unforgettable features of Velasquez's Philip or Van Dyck's Charles. Henry VII., on a higher step, stands modestly in the background. A copy was made of the fresco for Charles II. by a Flemish painter, Remigius van Leemput, and may now be seen at Hampton Court, offering a suggestive comparison with the cartoon. There are also three or four Holbein draw-

ings of Edward VI. and Jane Seymour, characteristic outline drawings, touched here and there with color. But one remembers regretfully the fine series at the Tudor Exhibition.

After the Holbeins, little will detain the artist until he comes to the Van Dycks. For the historian, I admit there is much to note by the way: the forbidding portraits of Mary Tudor—the face so cruel, hard, and fanatical you are ready to believe any evil of her, and neither Sir Antonio More nor Lucas de Heere made an effort to soften it, whatever pleasure they took in her rich brocaded and jewelled robes; the extraordinary portraits of Elizabeth, her incredible gown embroidered with birds and beasts and fishes, a museum of natural history, as you see it in the large canvas (by an unknown painter) lent by the Duke of Devonshire, whereas in the three portraits by Zuccherò the ruff, with its wide gauze wings, the balloon sleeves, with tulips springing from them in one version, the necklace, the ostrich-feather fan, are all woven into an ingenious decoration in which the face almost disappears; the disappointing portraits of Mary Stuart, that cannot explain her charm, but that no doubt will revive old controversies—among them, one of the "memorial portraits" painted long after her death, a full-length with the scene of her execution realistically recorded in the background, and, far more interesting, a small panel by Janet of the Queen in the famous *deuil blanc* for Francis. I suppose even the portraits of James I., by Jameson, and his Queen, by Van Somer, will attract the historian, but they have left a blank in my memory. Or, perhaps, I have forgotten them because of my more acute disappointment when I got so far in this rapid historical review as the Stuart who, of all the British sovereigns, cared most for art and worked most intelligently for its encouragement. Charles I., whatever his weaknesses, whatever his crimes toward his people if you will, was great in his love for art. His pride was his collection of pictures, to which the nation still owes many of its treasures. His delight was in being painted by the masters of his time. He was as royal in his patronage of Van Dyck as Philip IV. was in the honor paid to Velasquez. And Van Dyck returned the royal favor by making the King, the Queen, and the little princes and princesses the motives for his most splendid masterpieces. What he could do for the House of Stuart was shown in the Van Dyck Exhibition at Antwerp, and even more strikingly when that exhibition was transferred to the Royal Academy; with many notable additions.

But the New Gallery, whether fearing to find the public fickle, or whether failing to induce owners to part so soon again with pictures on tour but a year or two ago, has not included one of the portraits that were the glory of those two memorable collections. Of the six that bear Van Dyck's name, none but the Queen Henrietta Maria lent by Mr. Edmund Davis stands out with anything like the distinction expected of Van Dyck at his best. This, however, is very charming, though with a touch of insipidity or over-prettiness that makes one question how it would have stood the test of being seen at Antwerp or the Royal Academy. It is a half-length. The Queen, in her far-