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ARTICLE VI.

LABOR LEGISLATION.

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I.

I ENVY another person the wealth that he has acquired and I am able to take it from him by force or stealth. Why shouldn't I? My family needs bread and clothing. I have none to give them. My neighbor has more than he can possibly use. Why shouldn't I compel him to divide with me? If I am unable by myself to take it, why should I not combine with others as needy as myself and thus force the coveted surrender, or division?

A company borrows a million of capital, and with it erects buildings, and fits them up with boilers, engines, and expensive machinery, and employs a thousand men to turn out some manufactured product. Trade falls off; competition becomes fierce; the company must reduce wages, or suspend operations, or go on at a loss and sink the borrowed capital. Should not the thousand men insist on the latter course, and use force and intimidation, if necessary, to accomplish their purpose?

These and many similar questions have been asked, with more or less directness and force, in late years and by persons disposed to back up their convictions by appropriate action. The answer that suggests itself to most minds is, that all such action is *contrary to law.* Fortunately for the peace and welfare of the community, this answer is generally considered all-sufficient, and people do not trouble themselves to inquire into the reasons for the law.

Anarchists affirm that this is no answer at all; that it is a mere evasion to say that *anything* is *contrary to law.* If laws interfere with what they term "natural rights," they ought not to be obeyed; and if any rulers attempt to enforce such laws, they ought to be resisted and, if possible, overthrown. They argue, with a certain deceptive plausibility, that all our legislation and framework of government is designed to favor a certain pampered class, and to deprive all the rest of their "natural rights"; and that laws and government ought to be abolished or openly defied. Most legislation is for the benefit of the law-abiding. Laws protecting the rights of property benefit mainly those who have property. Laws protecting life and chastity benefit mainly those who value life and are virtuous. Laws for the preservation of decency and good order benefit mainly the sober and fastidious; while they deprive many people of almost the only enjoyment they are capable of taking.

But such laws also bless the whole community, including even those who are tempted to violate them; and nothing is plainer to the student of history than that those who are lowest in the social scale and most likely to complain of existing conditions would have been a thousand times worse off in an age when might made right. The simplest code of laws that it would be possible to frame would restrict in some measure the exercise of what might be termed "natural rights," and afford artificial protection to life, chastity, and property.

The fallacy of the argument consists in confusing the purely theoretical right of a Robinson Crusoe, whose "right there is none to dispute," with the rights of a man who is a member of an organized society in which there are many men, who must have every right that he claims for himself, and each of whom must submit to some limitation of his rights in order that others may enjoy theirs.

Article III. of the Constitution of New Hampshire asserts, "When men enter into a state of society, they *surrender up some of their natural rights* to that *society*, in order to insure the protection of others; and without such an equivalent, the surrender is void."[1] It would be better to say that when men are born into a state of society their natural rights *are only* such as may be exercised without interfering with the rights of others. If my right to acquire property is directly opposed to another's right to *hold* and *enjoy* it, it is evident that both rights cannot be exercised with regard to the same article at the same time; and, as the right which grows out of *possession* has ever been esteemed superior to the right which springs from *desire*, society restrains and punishes me if I attempt to take that which belongs to another. The conflict between their so-called "natural rights" and social order begins with the cradle. As soon as the child is able to reach out and take anything, it asserts its natural right to appropriate what it chooses, and objects strenuously to any interference with that right. At the same time, it resists with all its might the efforts to take from it anything which it has once acquired. There is as much worldly wisdom as wit in the old parody of the catechism, "What is the chief end of man? Ans. To keep all he's got, and get all he can."

But, in a family where anything like good government prevails, children learn to respect the rights of others and to subdue their own passions, at so early an age that they do not themselves know how or when. The child that is happy enough to have brothers and sisters of nearly the same age learns this lesson more readily than one who is an only child. It is only when they become sophomores in college, or are brought face to face with some great temptation in after life, that their views of right and wrong become obscured, and their "natural right" asserts itself

[1] The italics are ours.

to the exclusion of all other rights. The anarchist, as a rule, is a man, or woman, who has had no home training, who has been brought up in brutal surroundings, or who has been taught from infancy that his poverty is the fault of the well-to-do, and that justice demands a re-distribution of wealth. The child who has had to submit to wise parental government at home and to discipline at school, has no difficulty in adjusting himself to the requirements of civil government. One reason why ignorance of the law is never an excuse for its violation is, that the average citizen, without ever having read or heard the law, instinctively conforms. It is seldom that *general* laws, which bear the test of *constitutional analysis*, require of the citizen anything which he would not naturally do, or prohibit him from doing anything which he would not naturally shrink from doing. Mark the qualifying words! The laws, to meet with such happy acquiescence, must be *general*, i.e., adapted to secure the welfare of all, and must bear alike on all, and not be framed to advance the interests of a particular class, at the expense of all others; and they must be *constitutional*, i.e., they must not transgress or go beyond the bounds fixed by the Constitution of the State, or of the United States, with both of which a citizen of average intelligence has some familiarity.

Most of our state constitutions start out with a "Bill of Rights," i.e., a statement of those rights of the citizen which the constitution is designed to secure, and which the legislature must not violate. While differing slightly in the language employed, the very first section in most constitutions agrees substantially with this, from the Ohio Constitution:—

"SEC. I. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety."

In Iowa, in addition to other constitutional provisions, they have the following:—

"ART. I. *Sec.* VI. All laws of a general nature shall have a uniform operation; the General Assembly shall not grant to any citizen or class of citizens privileges or immunities which, upon the same terms, shall not equally belong to all citizens."

And in Oregon, the following:—

"SEC. XX. No law shall be passed granting to any citizen or class of citizens privileges or immunities which, upon the same terms, shall not equally belong to all citizens."

The same thing is expressed in different terms, or implied, in nearly every other state constitution. Legislation which abridges or denies any of these declared rights is said to be "unconstitutional," and is void.

There always has been, and always will be, controversy between those who assert the individual's right to eat, drink, dress, and behave himself as he chooses, and those who assert the right to restrict by severe legislation all such conduct as seems to them prejudicial to morals and good order. The controversies over temperance laws and Sunday-closing laws are illustrations in point. But the rights to life, liberty, and property lie at the foundation of our whole system of government, and cannot be removed or weakened without endangering the whole structure. Now to be "free and independent"—to enjoy "liberty"—means, not merely to be out of prison and free from physical restraint, but to be untrammeled in the exercise of all God-given faculties, subject only to such restraints as are necessary for the common good—that is *everybody's* good—to live and work where one wills, to earn one's livelihood in any lawful calling, and to pursue any lawful trade or avocation.

A strike is, professedly, a unanimous agreement among the employees of a particular railroad or employer to quit work until certain conditions are complied with; such as,

the raising of the scale of wages, the reduction of the hours of labor, the removal of an obnoxious superintendent, the provision of better means for securing their health and safety, etc.

Whether justifiable or not, in the sense that their demands ought to be granted, no one questions the legal right of employees, who are not otherwise bound by virtue of some contract, to quit work whenever they please. This is a liberty guaranteed by the Constitution. If the demand for labor of that particular kind is greater than the supply, or there is real unanimity of feeling among the men, the strike is likely to be successful, when conducted in a perfectly lawful manner; and to such a strike there can be no valid objection.

If, however, as is very often the case, the supply of workmen skilled in that particular art is much greater than the demand; or, if some would rather continue working than to quit; or, if the work is of a character which can be learned in a short time by the average laborer, the strike is bound to fail, unless those who quit work can compel the others to go with them, and can prevent other men, who are anxious to work, from taking their places. Hence it is, that, nine times out of ten, strikers are not content to exercise their inherent and inalienable rights to *quit work*, but they seek at once, by threats and intimidation and actual violence, to deprive other men of *their* rights to *continue*, or to *begin*, or to *resume* work.

If the controversy is between an ordinary manufacturer and his men, and no very great outrage—such as the wanton destruction of life or property—is committed, the strike may be carried on for weeks and even months, by really unlawful methods, without bringing that pressure of public opinion to bear, which, when once aroused, crushes the life out of every unlawful enterprise. Whenever a strike directly affects the comfort and safety of an otherwise in-

different public, it is doomed to failure. Railroad strikes, even when supported by the most powerful labor organizations in the world, have been suppressed without accomplishing anything but a destruction of property, or the loss of a few lives, because, not only the rights of men who are willing to work have been interfered with, but the rights of the traveling public, and of all persons interested directly or indirectly in the transportation of goods and mails. The "sympathetic strike" ordered by Debs was bound to fail, because the rights it assumed to promote were insignificant in comparison with the injuries inflicted on all classes of the community.

Taught by bitter experience, the shrewder organizers of labor have been seeking to accomplish, under the forms of law, what they could not accomplish in open violation of it. They have gone to the opposite extreme from the anarchists, and argue that anything they can succeed in putting on the statute-books is *law*, and that there are no rights which may not be *annihilated* by legislation. *Class legislation* has taken the place, to some extent, of *strikes;* and employers are forced to do things, and to submit to things, by threats of fines and imprisonment to be judicially imposed under some act of state legislation, which no strike could compel them to do.

About six years ago the stone-cutters in New York inaugurated a strike with a "boycott" and all modern attachments, the object of which was to prevent building-contractors from using cut, dressed, carved, or polished stone imported from any other State, and to secure for themselves the cutting, dressing, carving, and polishing of all stones and marbles used in building. It was nothing to them that the freight charges were less on dressed stone than on the rough; that the work could be done cheaper in the neighborhood of the quarries than in a large city; and that it was much more convenient for the builders,

the public, and everybody, except the stone-cutters themselves, to have the stone delivered at the building in a condition for immediate use, than to have the street and premises obstructed by large masses of unhewn stone, and a large number of workmen making the chips fly in all directions from their chisels. Some contractors yielded, but the majority would not; and the work on most public works and large office and mercantile buildings came to a standstill, until the backbone of the strike was broken and the union receded from its position.

On the 10th of April, 1894, the New York Legislature passed an act,[1] requiring that all stone, of any description, used in state or municipal works within that State, should be worked, dressed, or carved upon the grounds where such works were being carried on, or within the boundaries of the State or municipality; that a clause to that effect should be inserted in all contracts, authorizing or requiring the use of worked, dressed, or carved stone, by state, county, or municipal authorities; and if any contractor violated any provision of this act, the State or municipality should revoke said contract, and should be discharged from any liability to such contractor by reason of said contract.

By this act the stone-cutters of New York were benefited at the expense of all other classes of the community, and of men of their own craft in adjoining States. The paving-contractors were hurt, among others, and the stone-cutters of one locality found that the clause requiring stone to be dressed upon the grounds where such works are being carried on, was likely to exclude them from all participation in work in a neighboring locality in the same State. The New York City cutters could not work on stone to be used in Brooklyn, and *vice versa*. In consequence of these discoveries, the law was amended, April

[1] Chap. 277, p. 506.

25, 1895,[1] so as to except paving blocks and crushed stone, and to require only that the other stone should be worked, dressed, or carved *within the boundaries of the State.* It probably will not take the contractors long to discover that this discrimination against the products of sister States is unconstitutional and void.

Laws have been passed in several of the States, requiring owners and operators of coal-mines, when the miner is paid on the basis of the amount of coal mined and delivered by him, to weigh the coal on pit cars *before screening* and to pay on such weights, and forbidding contracts in the usual form providing for the payment of so much per ton for *screened* coal. By *screening* the coal, the slack, which is comparatively worthless, is separated from the lump, egg, and nut coal, which alone can be sold at market prices. Mine operators, therefore, have almost invariably taken the ton of screened coal as the standard by which to calculate the wages of the miners. The amount of slack in a car of coal depends upon the care with which the mining is done. Haste and neglect increase the amount of waste. The old rule tends to make the men careful, and to increase the quantity of merchantable coal produced by a day's work. The statutory rule has the reverse effect. Repeated strikes had failed to swerve the operators from a manifestly fair position, and so the aid of the legislature was invoked. The Act of March 9, 1898, Ohio Laws, p. 33, is a sample of this species of legislation.

The Supreme Court of Illinois declared such a law[2] unconstitutional, saying, among other things,—

"The statute now before us . . . attempts to take from both employer and employee engaged in the mining business, the right and the power of fixing by contract the amount of wages the employee is to receive, and the mode in which such wages are to be asccertained. . . . In all other kinds of business, involving the employment of labor, the employer and employee are left free to fix by contract the amount of wages to be

[1] Chap. 413, p. 263. [2] June 10, 1891, p. 170.

paid, and the mode in which such wages shall be ascertained and computed. This is justly regarded as a very important right vitally affecting the interests of both parties. To the extent to which it is abridged, a property right is taken away."[1]

In West Virginia, the Supreme Court divided equally upon the question of the constitutionality of a similar law,[2] and the decision of the Court below, in its favor, was sustained. The dissenting opinions are very able vindications of the employer's liberty to contract with his employees for the payment of wages in any mode mutually satisfactory, and a justification of the rule against which the law was aimed.[3]

Two-thirds of the States of the Union, between 1887 and 1895, set apart a day, usually the first Monday in September, as a public holiday to be known as "Labor Day"; "so that the laboring-classes," as some of the statutes phrase it, "can have a day of rest"; as if the laboring-classes had only that one day, and could not avail themselves of Sundays and the other legal holidays in the year! It is a dangerous precedent to make the business of the world stand still while a particular class enjoys itself. Every class must have its own holiday, and the *dies non* will soon exceed in number the *dies fasti*, or the laboring-class will enjoy a special and unconstitutional privilege. The real design of "Labor Day" is to give opportunity for an annual display of the number and strength of the labor unions, and to awe into willing submission the time-serving politicians who are candidates for the state legislatures about this time of year.

Any one who glances through the statutes of the several States for the last fourteen years will see many other evidences of persistent effort to obtain legislation favoring particular classes of laborers, or their unions, at the ex-

[1] Ramsey *v.* The People, 142 Ill. 385, 386.
[2] Act of March 9, 1891, chap. 82.
[3] State *v.* Peel Splint Coal Co., 36 W. Va. 838, 855.

pense of all other classes, indicating by their great similarity a common origin.

We have laws exempting the wages of employees from attachment; laws making the claims of employees preferred claims in case of the insolvency of their employers; laws subjecting the stockholders of corporations to individual liability for the debts of the company to its employees, although the stock is fully paid, and no other creditors are allowed to enforce their claims in that way; and laws making the claims of employees a first lien upon the franchises and property, real and personal, of their employers, ahead of all mortgages, deeds of trust, and other liens, no matter how much older in date.

These laws, when general enough to include all employees, are sometimes justified on the theory that it is for the good of the community that no one should be made or left absolutely destitute. But many laws are limited to particular classes of employees engaged in particular occupations. And what are we to say of such a statute as this:

"In all actions brought to recover wages due any laborer or servant, when it shall appear to the satisfaction of the Court or jury that it was necessary, in the performance of said labor, that the laborer or servant use his horse or team, then said services shall be included in said wages, and become a part of the judgment for said wages, and from *such judgment nothing shall be exempt*"![1]

It may surprise employers in Ohio to learn that if, without an express contract with a servant, he deducts or retains any part of his wages for wares, tools, or machinery destroyed or damaged by such servant, he may be fined from twenty dollars to one hundred dollars, or be imprisoned not more than sixty days, or both, and in addition thereto be liable in a civil action for double the amount withheld.[2] On the other hand, it may comfort them to learn that a similar law passed in Massachusetts[3] to pre-

[1] Illinois, June 21, 1895, p. 173.

[2] Ohio Laws, April 29, 1891, Vol. 88, p. 442. [3] 1891, chap. 125.

vent employers from deducting any part of the wages of employees engaged in weaving, for imperfections in the product due to carelessness or lack of skill, is unconstitutional and void.[1]

Laws have been passed in many of the States compelling certain classes of employers—usually those engaged in mining or manufacturing—to pay their employees at the end of every week (sometimes fortnightly) in cash, or in checks, or orders payable at sight in cash only, and subjecting those who fail to pay, for any reason, to fine and imprisonment.[2]

In Iowa, operators of coal-mines must pay their employees on the first and third Saturdays of every month, and, on failure to pay for five days, they are liable to the employee for *one dollar per day in addition to the wages*, and a reasonable attorney's fee to be recovered in a civil action.[3]

In Kansas,

"A sum equivalent to a *penalty of five per cent per month*" "shall become due to such employees as have not been paid in full at the end of the week," and "the penalty shall continue in full force and effect including all the time intervening up to time of final payment. . . . Any *contract or agreement* made between any such corporation and any parties in its employ, whose provisions shall be in violation, evasion, circumvention of this act, *shall be unlawful and void.*"[4]

[1] Commonwealth *v.* Perry, 155 Mass. 117.

[2] Pennsylvania, June 29, 1881, No. 147; May 20, 1891, No. 96; Massachusetts, March 22, 1886, chap. 87; 1887, chap. 399; June 22, 1894, chap. 508; May 31, 1895, chap. 438; April 6, 1896, chap. 241; June 1, 1898, chap. 48; April 10, 1899, chap. 247; Wisconsin, April 17, 1889, chap. 474; New Hampshire, 1887, chap. 26; Connecticut, R. S. Sec. 1749; 1887, chap. 67; Maine, March 17, 1887, chap. 134; West Virginia, 1887, chap. 63; Ohio, March 20, 1890, Vol. 87, p. 78; New York, May 21, 1890, chap. 388; May 17, 1893, chap. 717; May 27, 1895, chap. 791; Illinois, April 23, 1891, p. 213; Cothran's R. S. Sec. 1530 *b.c.d.*; Tennessee, Sept. 15, 1891, chap. 5; Indiana, March 3, 1893, chap. 114; Kansas, March 10, 1893, chap. 187; Iowa, 1894, chap. 98; Louisiana, July 6, 1894, No. 71; Missouri, April 8, 1895, p. 206; May 18, 1899, p. 305.

[3] Laws 1894, chap. 98, p. 95.

[4] Act of March 10, 1893, chap. 187, p. 270, Secs. ii. and v.

Could any strike surpass such laws in ferocity, possible damage to an employer, and unconstitutionality? Has any one interested in passing such laws stopped to consider that employers may, without fault of their own, be temporarily disabled, by the stringency of the money market, or the failure of *their* debtors to pay *their* bills exactly on time? Has any one considered that without enlisting capital, industrial enterprises cannot be started and carried on, and that every such law makes it more difficult to secure the capital required?

When the Pennsylvania law (June 29, 1881) came before the Supreme Court of that State, it was disposed of, briefly and almost contemptuously, as follows:—

"The act is an infringement alike of the right of the employer and the employee; more than this, it is an insulting attempt to put the laborer under a legislative tutelage, which is not only degrading, but subversive of his rights as a citizen of the United States. He may sell his labor for what he thinks best, whether money or goods, just as his employer may sell his iron or coal; and any and every law that proposes to prevent him from so doing is an infringement of his constitutional privileges, and consequently vicious and void."[1]

The Supreme Court of West Virginia, passing on the law of 1887, said, among other things:—

"Every partial or private law which directly proposes to destroy or affect individual rights, or does the same thing by restricting the privileges of certain classes of citizens, and not of others, when there is no public necessity for such discrimination, is unconstitutional and void. Were it otherwise, odious individuals or corporate bodies would be governed by one law and the mass of the community and those who make the law, by another; whereas a like general law, affecting the whole community equally, could not have been enacted."[2]

The truth of this last remark is well illustrated by the exceptions incorporated in many of those laws, to make them go through. In some of the granger States the law was expressly declared not to apply to farmers.[3] In Wis-

[1] Godcharles *v.* Wigeman, 113 Pa. St. 431–437.

[2] State *v.* Goodwill, 33 W. Va. 179, 182–183.

[3] Illinois, Act of May 28, 1891, p. 212. Kansas, Act of March 10, 1893, chap. 187.

consin it was expressly declared not to apply to agricultural laborers, commercial travelers, traveling employees of railway and express companies, and persons employed in logging camps, or in driving, running, or manufacturing logs or lumber. In Massachusetts, it was provided that it should not apply to *coöperative associations!*[1]

The decision in an Illinois case, arising under the statute of April 23, 1891, brings out very clearly another practical objection to such laws. The Court says, among other things:

"In the Frorer case[2] we said, the privilege of contracting is both a liberty and a property right; and if A is denied the right to contract and acquire property in the manner which he has hitherto enjoyed under the law, and which B, C, and D are still allowed by the law to enjoy, it is clear that he is deprived of both liberty and property to the extent, that he is thus denied the right to contract."

"The restriction of the right to contract affects not only the corporation, and restricts its right to contract, but that of the employee as well. One illustration of the manner in which it affects the employee, out of many that might be given, may be found in the conditions arising from the late unsettled affairs of the country. It is a matter of common knowledge that large numbers of manufactories were shut down because of the stringency of the money market. Employers of labor were unable to continue production, for the reason that no sale could be found for the product. It was suggested, in the interest of employees and employers, as well as in the public interest, that employees consent to accept only so much of their wages as was actually necessary to their sustenance, reserving payment of the balance until business should revive, and thus enable the factories and workshops to be open and operated with less present expenditure of money. Public economists and leaders in the interests of labor suggested and advised this course. In this State and under this law no such contract could be made. . . . The corporations would be prohibited from entering into such a contract and, if they did so, the contract would be voidable at the will of the employee, and the employer subject to a penalty for making it, The employee would, therefore, be restricted from making such a contract as would insure to him support during the unsettled condition of affairs, and the residue of his wages when the product of his labors could be sold. The employees would, by the act, be practically under guardianship, their contracts voidable as if they were minors, their right to freely contract for and to receive the benefit of their labor, as others might do, denied them."[3]

[1] 1887, chap. 399. [2] 141 Ill. 171.

[3] Braceville Coal Co. *v.* the People, 147 Ill. 66, 71, 73, 74.

A law of Illinois[1] declares

"that it shall be unlawful for any person, company, corporation, or organization, now engaged or hereafter to be engaged in any mining or manufacturing business in this State, to engage in, or be interested in, directly or indirectly, in keeping of a truck store, or controlling of any store, or scheme for the furnishing of supplies, tools, clothing, provisions, or groceries to his, its, or their employees, while so engaged in mining or manufacturing."

"SEC. IV. [Any deductions (on account of goods sold to employees on credit by anybody) may be recovered by suit] together with such reasonable attorney's fees as the Court in its discretion shall think proper, and *no offset or counterclaim of any kind shall be allowed in such action or proceeding*."

"SEC. V. All attempts to evade or avoid the provisions of this act, *by contract or otherwise*, shall be deemed a violation thereof; and for every violation, in addition to the civil remedy provided for in Sec. IV. there shall, on conviction, be a fine imposed of not less than $50, and not more than $200, for each offense."

The Supreme Court of Illinois, in a recent case,[2] declared this law unconstitutional, and said, among other things:—

"In all that relates to mining and manufacturing wherein they differ from other branches of industry we recognize the supremacy of the General Assembly to determine whether any, and, if any, what, statutes shall be enacted for their welfare and that of operators therein, and necessarily affecting them alone. But keeping stores and groceries or supplies of tools, clothing, and food, by whatever name, to sell to laborers in mines and manufactories, is entirely independent of mining and manufacturing, and has no tendency in any possible way to affect the mechanical process of mining and manufacturing. The prohibition of the statute operates not directly upon the business of mining and manufacturing, but upon the individual, because of his participation in that business. It is not imposed for the purpose of rendering mining and manufacturing less perilous or laborious, nor to restrict or regulate the status of employer and employee in respects peculiar to those industries, but for the sole purpose of imposing disabilities in contracting as to tools, clothing, and food, matters about which all laborers must contract and as to which all laborers in every other branch of industry are permitted to contract with their employers without any restrictions."

"The same act in substance and in principle, if done by the one is lawful, but if done by the other is not only unlawful, but a misdemeanor, punishable by fine. If the General Assembly may thus deprive some persons of substantial privileges allowed to other persons under precisely

[1] May 28, 1891, p. 212. [2] Frorer *v.* The People, 141 Ill. 171, 179–181.

the same conditions, it is manifest that it may, upon like principle, deprive still other persons of other privileges in contracting, which, under precisely the same circumstances, are enjoyed by all but the prohibited class."

" . . . and it might find that the public welfare required that society should be divided into an indefinite number of classes, each possessing or being denied privileges in contracting and acquiring property, as favoritism or caprice might dictate."

After a number of decisions declaring laws of this class unconstitutional and void, a delegate to a great labor convention in Chicago exclaimed bitterly, "The Courts are a part of the system for upholding capital in its contest with labor. We shall never have our rights until we get control of the Courts." He did not seem to appreciate that the real obstacle to legislation of this class lay in the state constitution, which is the higher law, and that the Courts were bound to declare void all laws which violated constitutional rights. If the people who favor such legislation can get a majority in any State to wipe out, or radically change, the Bill of Rights in its constitution, the Courts will be found easy enough to manage, and legislation of any sort, no matter how it may affect what are now regarded as inalienable or constitutional rights, may stand.