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FIRST EDITORIAL

## A NESTOR THAT IS NONE.

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**C**ircuit Judge John W. Henry, said to be the Nestor of Kansas City lawyers, has just rendered a boycott decision. His utterance, tho' not extraordinary remarkable for much freshness, is noteworthy, nevertheless, as being the latest utterance from the Bench on the subject; it is, moreover, noteworthy for the clearness of its language.

The case was a strike, followed by a boycott by a local waiters' union against a local innkeeper. The matter came into Court; the Court decided against the men. The decision contains this passage:

“There are certain rights of American citizens recognized by the Constitution of the United States, the Constitution of every State in the Union and by every honest citizen. Among these: The right of every man to set a price upon his own labor; the right of every one to fix the price which he will pay for the labor of another, and neither has the right to compel the other to accept his terms; the right of everyone to conduct a legitimate business without interference or hindrance from others.”

So far, no one can justly find fault with the statement. In fact, it is a remarkably forcible presentation of the underlying principle of our present system of laws, to wit, the principle that labor is a bit of merchandise, in no way different from bricks, beef, potatoes, or yards of cloth. The owner of bricks, beef, potatoes and yards of cloth may set what price he will on his goods; the purchasing public has the correlative right of buying at the price set or refusing to. So with the workingman. He owns the merchandise Labor; he has, accordingly, the right to set on it what price he will; it is his privilege;—and likewise is it the privilege of the purchasers of his stock in trade, the same as when they want to buy bricks, beef, potatoes or what not, to either buy at the price demanded or leave the goods alone.

From these premises the lawyer Nestor of Kansas City draws with fiendish

pleasure and relentless logic conclusions that can not be gainsaid. But he dwells upon them with a satisfaction that is hardly Nestor-like.

A Nestor is a being of many years and corresponding experience. Your, inexperienced through lack of years, may be excused for believing that which it sees to be of all time, and, consequently, for all time. Not so with a Nestor. Having reached the years of Nestorship, he must have plenty of experience back of him, experience that tells him in notes, louder even than those in which the Party is now summoning the Kangaroos to their doom, that what he sees to-day, was not so yesterday, is not of all time, and, consequently, neither will be for all time. This important feature of Nestorship is absent from the Kansas City specimen. The satisfaction with which he expresses the belief that the present merchandise feature of Labor will last, the features that degrade and keep the working class in subjection; the satisfaction with which he looks at the "American Institutions" that are the groundwork of such a (to the idle capitalist class) beneficent state of things sounds just the reverse of Nestor-like.

But besides being the reverse of a Nestor in experience, Judge Henry of Kansas City is none in the amount of positive knowledge that, it is not too much to expect, one may look to from a Nestor.

The Constitution of the United States and of all the States have other clauses besides those that tickle the capitalist cockles of Judge Henry's heart; notably there is a clause that is a wide gate for the healthy gusts of fresh air: THE AMENDMENT CLAUSE. Labor, a merchandise to-day, and bearing the full disgrace of such a condition, will be a merchandise no longer the moment that, through the Amendment Gate, the Working Class walk into the sanctum of statute-built capitalist property. From that moment the "institutions" that render Labor a merchandise will crumble, and Labor, emancipated from thrall that to-day allows the Nestors à la Judge Henry to walk over it like flies over beef on the hooks of the butcher's stalls, will hold a language that will frighten Nestorship out of its silly wits.

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