

# DAILY PEOPLE

VOL. 6, NO. 36.

NEW YORK, SATURDAY, AUGUST 5, 1905.

ONE CENT.

EDITORIAL

## THE WHY AND THE WHEREFORE.

By DANIEL DE LEON

**I**T is not now any longer a matter of more or less reliable, more or less unreliable information what a bunch of the elite of the capitalists has been up to in the Equitable Life Assurance Society. The matter is now in official form under the seal of the Attorney General in the restitution suit that he has instituted. From Depew down, or up, the defendants in the case are the flower of elitedom; and the following are some of the “virtues” that they are charged with:

“Habitual and continuous wrongful, improper and illegal acts”;

“Acquiring to themselves and transferring to others, in violation of their duty, a certain profit and benefit”;

The raising of loans, the Depew loan alone was for \$250,000, “upon grossly inadequate security”, and bidding in of the property at a foreclosure sale under the mortgage taken as security resulting in a “great waste and loss of the property of the society”;

“Paying to themselves moneys that belonged to the policyholders”;

Withholding from the policyholders “in violation of law” a sum “appropriating {approximating?} \$10,000,000”; etc., etc., etc.

And suit is now brought in behalf of these policyholders for restitution.

Just suppose that the Working Class were to bring suit for restitution, every one of the above charges would hold good against the whole Capitalist Class, the only difference being that the amount involved would be, not a paltry \$10,000,000, but all the billions of the land—

Habitually and continuously wrongful, improper and illegal are the acts of the whole Capitalist Class against the Working Class;

The Capitalist Class stands convicted of acquiring to themselves and transferring to their kin, in violation of the commandment, Thou shalt not steal, the

profit and benefit of Labor's toil;

The Capitalist Class raises forced loans—beside which the Depew loan of \$250,000 is but a sneak-thief's haul—upon the sweat of the brow and the marrow of the workers, resulting in a great waste and loss of workers' lives and health;

The Capitalist Class pays to itself moneys that belong to the Working Class;

The Capitalist Class withholds from the Working Class in violation of human rights the patrimony of the Working Class—the wealth of the country; etc., etc., etc.

Just suppose such a suit for restitution were brought into the courts of the land. The Working Class defendant would be non-suited instanter.—Why? Just because the suit was brought into the wrong court. Civil courts have no jurisdiction in a criminal action for highway robbery: criminal actions must be brought in criminal courts: bread is baked in bakeries, not in shoeshops. Not in the courts—the fields of battle on the arena of which capitalists fight out their own squabbles—can the Working Class settle the issue of Restitution.

And that is the why of the wherefore.

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Uploaded February 2008

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