

gers the traction, the telephone, the gas, and some other street franchise interests are facing at the April election, it is hardly worth while to hunt farther. This is more especially so, when the fact is notorious that most of the moral agencies engaged in making the uproar are largely financed and otherwise fostered by owners of street franchise securities.

Our colonial and our imperial caciques.

The American Attorney General of our Philippine colony beyond the seas, Mr. Wilfey, recently lectured at Manila on the rule of the "cacique." The term "cacique" corresponds to our "boss" and Mr. Wilfey undertook to show that some of the difficulties in the Philippine Islands are connected with the fact that the influence of the local "cacique" interfered with the freedom of the municipal and provincial elections. It would be more instructive and entertaining to students and the Filipino public generally if Mr. Wilfey would tell about caciquism in his native land. Caciquism or graft in American cities is in four forms: (1) Police graft, where the law breakers and criminals pay for police protection; (2) pay-roll graft, where falsified returns are made; (3) contract graft, where a profit is made on public contracts; (4) franchise grafts, which grant, give extensions, regulate and control franchises for public utilities, such as street cars, gas works, electric lighting, private water companies, telephone companies and other public improvements. This is considered highly respectable in America. And while he is about it Mr. Wilfey might inform our colonial subjects of our life insurance grafters and denounce those caciques who rob the thousands of widows who depend on insurance policies. Then there is the Standard Oil cacique, the railway monopoly cacique, the school book trust caciques. It is not so profitable to describe feeble attempts at caciquism among the Filipinos, who are "incapable of self-govern-

ment," as the highly developed perfected article that rules so many elections—municipal, State and national in America."

A mysterious fortune.

An interesting dispatch came over the wires from Providence on George Washington's birthday. It told of the wealth of little Nicholas Brown. When three months old this baby boy inherited from his father an estate worth \$4,000,000; and now, as he passes his sixth birthday, that estate has grown in value to \$11,000,000—an increase in little more than half a decade of \$7,000,000. Now, how do you suppose this boy earned all that money in that short time? It couldn't have been in the sweat of his own face. It must have been in the sweat of other people's faces. About how many other people sweated their faces for this youngster may be roughly estimated (speaking statistically by averages) if we consider that the increase in his fortune is equal to the total wages of about 1,000 four-dollar-a-day men. And that leaves entirely out of consideration the cost of their frugal fare and of his expensive keep.

MURRAY FLOYD TULEY.*

Some men are loved for their public virtues and service, and when they die are sincerely and modestly mourned. Among these was Murray Floyd Tuley, a judge whom lawyers delighted to distinguish as "the Chancellor," and a man whom the people of Chicago regarded as their First Fellow Citizen.

No curious crowds lined the streets to watch without affection the passing of his body to its burial; no newspapers filled their columns with brilliant descriptions and fulsome praise of his career as an example of successful self-service; no sycophant hungry for crumbs nor sensationalist eager for nerve vibrations waited feverishly for reports of the distribution of his accumulations of

*The fine photographic portrait of Judge Tuley, a half-tone copy of which accompanies this issue of The Public as a supplement, was made by Alfred Cox, 215 Wabash avenue, Chicago, to whose courtesy we are indebted for a copy expressly prepared for half-tone reproduction.

wealth. He had little wealth to distribute; like Agassiz, he had always been "too busy to make money." His career had not been one of self-service; like Abou ben Adhem, his dominant love was not for himself but for his fellow men. It was with no idle curiosity that his fellow citizens had learned that his life was at an end (p. 768), but with sorrow for his loss and affection for his memory.

Judge Tuley's distinction was in one respect at least peculiar. Although his public service had been almost wholly local, his influence and fame were broadly national. This may well have been due to the fact that he was a fundamental democrat who believed in his democracy. Democratic principles were part of his life. Whether upon the bench, or at the bar, or in civic conference or speech or leadership, the star of democracy was his constant guide. With him democracy was neither a shibboleth nor a fetish; it was a living moral force.

If he called himself an adherent of the Democratic party, he was not of that class of whom Parson Wilbur observed that they "set most store by forms and symbols in proportion as they are mere shells." Judge Tuley was an adherent of the Democratic party because it preserved a kernel of fundamental democracy; in politics as in the law, it was the kernel, and not the shell, by which he set most store.

Such men are not superabundant in our judicial and civic life. So pronounced an example, therefore, could hardly fail to become conspicuous nationally, even though his field of service were local; and for an account of the origin and career of a man of such unusual fame, no apology is needed.

I

Judge Tuley was a Kentuckian of Virginian antecedents, his ancestors both in his father's and his mother's line having been Virginian pioneers of Kentucky when Kentucky was a Virginia district.

In his father's line Judge Tuley was related to Col. John Floyd, who achieved distinction in the Revolutionary War, and in honor of whom as a Kentucky pioneer Floyd county, Ky., was named. A

sister of Col. Floyd married a Tuley, and from them Judge Tuley's father, Courtney Melmouth Tuley, was descended.

On his mother's side, Judge Tuley belonged to that branch of the Buckner family of which the Kentucky progenitor was Thomas Buckner, born in Spottsylvania county, Va., about 1765. When nearly 30 years old Thomas Buckner and his family migrated in "schooner" wagons to Jefferson county, Ky. Here he chose a farm site about 20 miles from Louisville and not far from the region in which the ancestors of Tom L. Johnson (p. 646)—for whom Judge Tuley had a high regard—settled at about the same time. In later years he moved into Louisville, where he is known to have been a man of means and at one time high sheriff of the county. One of his daughters, Priscilla Pendleton Buckner, married Courtney Melmouth Tuley; while another, Eliza Buckner, married Francis Henry Edmondson. Of these two marriages Judge Tuley's wife, Katherine Edmondson, was a child of the latter, and Judge Tuley himself of the former. Both therefore were grandchildren of Thomas Buckner, the Kentucky pioneer.

Although Judge Tuley was doubtless related to Simon Bolivar Buckner, the distinguished Confederate general who became a candidate for Vice President on the Palmer-Buckner ticket in 1896, their common ancestor is known to be more remote even than the father of Thomas Buckner.

An anecdote of Thomas Buckner, traditional in the family, is significant of a quality in Judge Tuley's character, although with him its expressions were less primitive than with his grandfather. The original authority for the anecdote was Ben Buckner, one of Thomas Buckner's sons, who is quoted in a family narrative by Mrs Tuley as having told it substantially as follows:

My father got into a heated discussion with a man on the streets of Louisville, and for some insulting remark made by the latter my father knocked him down and punished him severely. Whereupon the man sued him for assault and battery. I was present and saw the whole thing, and was summoned by my father to testify in his defense without any previous

examination as to the character of my testimony. Greatly to his surprise, my testimony went dead against him as the first aggressor. So the other man won his suit and father had to pay the fine and costs. I thought I saw fire in the old man's eyes as I told my story, and I tell you as soon as I stepped down off that witness stand I got out of there in a hurry, and was cutting around a corner to escape the thrashing I expected, when I felt a slap on my shoulder, and turned to face my father. And what do you think he said? "Ben, my son! I'm proud of you! I'm proud of you! You told the truth and shamed the devil, if you did beat your father in that suit—you dog, you! Now, sir, you go straight to my tailor and tell him to make you a fine broadcloth suit, and charge it to me. Do you hear?"

II

Murray Floyd Tuley was born at Louisville, Ky., on the 4th of March, 1827, the year of the death of Thomas Buckner, his grandfather. His father died when the boy was but five years old; and eleven years later, in 1843, his mother married Col. Richard J. Hamilton, one of the leading lawyers of his time in Chicago. Young Tuley had meanwhile attended the public schools in Louisville; and at the age of 13, to improve his small finances, he had taken a job as clerk in a Louisville grocery store. His experience in this establishment was brief. Not long after his employment began he discovered that the proprietor sanded his sugar and watered his molasses. Frankly accusing him of this, the boy explained that his mother thought the practice dishonest. But the proprietor was ungrateful. He resented the well-meant lesson in commercial ethics by telling his youthful clerk he "was getting too big for his breeches" and discharging him. The discharge proved to be a reward of merit.

Soon after his mother's marriage young Tuley came to Chicago, where he began the study of law with his stepfather. After two years of this experience he returned to Louisville to complete his legal education at the Louisville Law Institute. To save expenses he could ill afford, he took two years' lectures in one. Returning to Chicago in 1847 he was at once admitted to the bar.

At this time the war with Mex-

ico had been going on a year, and there were urgent calls for volunteers. With his stepfather's son, young Tuley enlisted. To the surprise of both, Col. Hamilton approved their act, and, being a man of influence, began figuring to get them commissions; with the result, as Judge Tuley jocosely said late in life, that he figured his son in as third lieutenant and his stepson as fourth corporal.

But this arrangement did not last. The company had enlisted for cavalry service, but the cavalry regiment filled its quota before the Chicago company left for Springfield, and the alternative of the company was to disband or go into one of the infantry regiments. As most of the Chicago volunteers had no ambition to cross the plains afoot, the membership of the Chicago company promptly dropped from 80 to 15 or 16.

Corporal Tuley was one of the few who confirmed his previous enlistment. He also set about recruiting the company, and, with an eye to a commission, utilized some military training he had received at Louisville, by drilling the recruits. But he was too wise to depend wholly upon his military faithfulness and efficiency for a commission. The instinct of politics was in him, and he bargained with the barkeeper at the saloon where the company rendezvoused, for mutual support—the barkeeper to be second and Corporal Tuley first lieutenant. This arrangement proved entirely successful when the company came to elect its officers.

Joining the 5th Illinois Infantry as Co. F, Lieut. Tuley's company went to St. Louis and thence up the Missouri river to what is now Independence, Mo., where they struck across the plains for the seat of war. After a long and tedious trip the regiment reported at Santa Fe to Gen. Sterling Price, afterwards famous as a Confederate commander. But it saw no battle service. The Santa Fe country had been conquered in 1846, and the only duty of the Illinois troops was to protect it from the very remote possibility of recapture.

III

At the close of the war Lieut. Tuley determined to remain at Santa Fe, where he opened a law office. After a hopeless experi-

ence of six months he scored a substantial victory in a murder trial, and thereafter practiced law with success and profit.

In 1850 he was appointed attorney general of the Territory of New Mex'co, by President Fillmore; and two years later he served in the Territorial legislature. About the time of his appointment as attorney general he read in an old newspaper of the death of a man in Chicago whom the report described so minutely that he had no doubt his stepfather was meant. Knowing that if this were so his mother would need him to care for her interests, he gathered together such money as he could, a few hundred dollars, and buying an outfit was on his way within twenty-four hours to the Missouri river on muleback. The journey was a long one and full of memorable and dangerous incidents. One of these brought him into interesting relations with Kit Carson, the noted border scout of the '40's and '50's.

At first he traveled alone. But a government wagon train returning east under Capt. Brevort had left Santa Fe only three days before, and he hurried forward to overtake it, for the Indians had been especially troublesome. As Capt. Brevort was delayed on his way by a side trip to a military post called Fort Riardo, Mr. Tuley overtook him at Las Vegas, about 60 miles eastward of Santa Fe. From that point he traveled with Brevort's train.

While they were moving slowly on, an unprepossessing stranger, mounted on a fine black horse, joined them. He said his name was Fox. After becoming one of the party, Fox affected the society of the teamsters, a rough lot of men who had been picked up on the Missouri river by Capt. Brevort for service on his way west, and whom he was now bringing back to the river, as he had contracted with them to do. Soon there were indications of disturbance among the teamsters, which greatly concerned Capt. Brevort; but no serious trouble was anticipated, though the party was in truth in great danger.

One night, while the party was encamped off the main road within sight of Rabbit Ear Mound, a part of the country not regarded

as dangerous from Indians, Mr. Tuley was awakened by a mysterious noise. Looking out he saw a man approaching afoot, and a number of soldiers on horseback apparently surrounding the camp. The visitor proved to be Kit Carson, whom Tuley had met once before. In telling the story* more than half a century afterward Judge Tuley wrote:

When Carson approached he recognized me. "Mr. Tuley," he said, in low tones, after signaling me to be cautious, "I have come on a very delicate mission. I would like to see the captain of the train before I say anything further about the matter. Do you know where he can be found?" I answered: "Yes." "Please get him and bring him out here to one side; I want to talk to him." I awoke Capt. Brevort—very carefully, because Kit Carson impressed upon me to make no noise and to avoid awakening anybody else. We went out to Carson, and he said: "Captain, I am here to take a man out of your party and carry him back to the Territory." "I don't know about that, Kit," replied Brevort. "Well, Captain, you know me well enough to know that I would not do such a thing without good cause for it. Has not a man, sandy haired, riding a large black horse, joined your party?" "Yes," replied Brevort, "and if he is the man you may take him." "Yes, he is the man, Captain. After I get him, I will tell you all about my reasons for taking him. Now, I want to take him as quietly as possible, and not rouse the camp."

At this point in his narrative Judge Tuley has written this note: "N. B. Tell how he took him." The manuscript fails to tell, but the facts are known. Tuley was asked by Brevort if he knew where Fox could be found. He replied in the affirmative and pointed him out to Kit Carson, who touched the sleeping Fox lightly with a whip. Awakened, Fox leaped to his feet to put himself on the defensive; but Carson's pistol muzzle was instantly at his temple, and the bandit, soon bound, was tied on the back of a horse and escorted by the dragoons back to New Mexico. The manuscript proceeds to quote Kit Carson's explanation:

"Capt. Brevort, you recall when you were at the Fort the other day getting your money. Now, when you were there I saw a man around the Fort by the name of Fox, who

*Taken from an unpublished MS. found among Judge Tuley's papers, probably the notes for a speech.

was a great desperado. He had killed four or five men—was one of the most desperate men in the country. I saw him there, and I thought I would keep my eye on him a little after you went off. He remained there until the next morning, and I thought there was nothing in it; but the next morning after you left I saw him leave with a Mexican and start off in the opposite direction from that, which one would take to reach the Santa Fe road. I thought that it was all right, but day before yesterday"—this was two or three o'clock in the morning—"I saw the Mexican ride back into the Fort, and I asked him where was his companion who rode away with him. 'Oh,' says he, 'he didn't go with me; he went over the hill a ways, and as soon as he got over the hill he turned around and went toward the United States road.' Then I knew there was some mischief up, and I went to the cabin of a discharged soldier just on the outskirts of the Fort, where Fox had stopped. This discharged soldier was in bed, so I walked in, turned the key, and put it in my pocket. He says: 'What the hell are you up to, Kit?' 'Never mind. I don't want to be interrupted; I want you to tell me all about that man Fox—what is he up to?' 'That is my business.' Well, to make a long story short, I persuaded him"—he didn't say how—"to tell me the truth. He told me Fox had been over there at this place watching Capt. Brevort; that he had made the acquaintance of the men who belonged to Capt. Brevort's train; he had known some of them in the States on the Missouri river, and he met them several times at a dance hall in the Fort; that he had got a sufficient number of these men to agree to rob the party; and that their plan was, when they got as far as the Rabbit Ear Mound, to take the money from those men that were along and break across the country to California. He told them that Capt. Brevort had \$35,000 or \$40,000 in money with him; that Mr. Wetherill, who was in the party, had about \$200,000 in money"—he had, but it was in United States drafts—"and that there was a lawyer along"—meaning myself—"but he didn't suppose he had very much."

After getting the soldier's story Carson went to the officer commanding at the Fort, told him the story, and getting six mounted dragoons, started to overtake our party. . . . Afterwards this man Fox was taken back to New Mexico and put in jail, but there was no evidence against him, the witnesses had all gone East, and after being kept in jail two or three months he was let out and went on to California. He committed some outrage in one of the mining towns there, and the miners got together

and strung him to a tree, and that was the last of him.

Following the Kit Carson episode Mr. Tuley and his companions pursued their toilsome journey eastward. If they encountered no further actual dangers they at any rate suffered severely for want of food and sleep and were in daily terror from the possibility of Indian attacks. In his unpublished manuscript already quoted from, Judge Tuley made no concealment of his fears. He wrote:

Men say they never get frightened; but I don't agree with them. I know I was scared until my hair stood straight up, for almost 20 days on that trip; and I believe the rest were in the same fix.

At last Mr. Tuley arrived safely in Chicago. It was in the Fall of 1850. To his surprise and gratification he found his stepfather alive and in excellent health. Having no occasion, therefore, to look after his mother's interests, he spent several months in family visiting and Eastern travel, going among other places to Missouri to see his cousin, Katherine Edmondson, whom he had met but twice before—once when she was a child of eight, and again when she was 14, while he was studying law in Louisville. They had corresponded briefly prior to his going to New Mexico, and through his Missouri visit their friendly relations were revived. In May, 1851, they married, and went to New Mexico to live.

With Mr. Tuley's sister and her husband they traveled in a barouche in the rear of a wagon train loaded with merchandise and drawn by oxen, and under the protection of its escort. At night on their journey careful preparations were made for resisting possible attacks by Indians. The wagons were arranged in horseshoe form, chained together at the wheels. All the animals were penned within the enclosure, and the barouche party of four camped in the rear of the wagons. After six weeks of such primitive and dangerous traveling they arrived at Santa Fe. A few months later Mr. Tuley and his bride removed to Albuquerque, where he had some rich Mexican clients, and whence he "rode the circuit" in company with other lawyers for the purpose of attend-

ing different courts widely separated.

In 1854 Mrs. Tuley returned East and in a few months Mr. Tuley followed. They intended to return to New Mexico; but Mrs. Tuley was reluctant and Col. Hamilton wisely advised against it, assuring his stepson that Chicago offered a better future.

IV

So Judge Tuley settled down in Chicago in 1854. Col. Hamilton assisted him to a partnership with Andrew Harvie, but the connection lasted only a year, when the firm of Barber, Rich and Tuley was formed. Somewhat later Mr. Tuley formed a partnership connection with J. E. Gary, a friend of his New Mexico days, who has become distinguished by the fact that he was the judge who presided at the Chicago "anarchist" trials in 1886. At an advanced age he is still an occupant of the Chicago bench.

After fifteen years' service at the Chicago bar as a private practitioner, Mr. Tuley was appointed corporation counsel in 1869 by Mayor Mason. He was retained by Mayor Medill, and upon completing four years of service in this office he returned to private practice in 1873 as senior member of the firm of Tuley, Stiles and Lewis. Six years later his judicial career began. During his incumbency of the corporation counsel's office, he had framed the Illinois act for the incorporation of cities under which Chicago was re-chartered after the fire and on which it is still dependent for corporate authority.

At the Spring election of 1878 Mr. Tuley had been elected an alderman from the First Ward, but had held this office only a year when at the judicial election of 1879 he was elevated to the bench as a circuit judge.

His conspicuous ability and faithfulness in that office may be inferred from the fact that he was reelected four times; his fifth election, for the term expiring in 1909, was by the highest vote cast for any candidate.

Judge Tuley soon won distinction on the bench as an equity judge, or chancellor. In this branch of the law he was profoundly interested. Its freedom from vexatious technicalities and its

tendency toward substantial justice in accordance with the peculiarities of each case, appealed strongly to him.

When president of the Illinois Bar Association in 1903 he chose "Equity Maxims" for his thesis. One brief quotation from this uplifting essay, to the spirit of which every citizen should respond, will be enough to indicate the all-embracing democracy of Judge Tuley's mind:

There runs through these pure maxims that spirit of love, equality, and the brotherhood of humanity which the early chancellors imbibed from the teachings of the meek and lowly Jesus, to whose service their lives were devoted. They incorporated these maxims into equity jurisprudence, threw open the doors of equity to the rich and the poor, the high and the low born, the beggar and the lord, without distinction as to person or caste, and applied the maxim, "Equality is equity," without fear, favor or affection. The laws of Nature and of God teach the doctrine of equality.

That Judge Tuley's reputation for great abilities as a jurist was not generated in the partial imaginations of friends and admirers incapable of judging, is evident from this estimate by S. S. Gregory, easily in the front rank at the Illinois bar and but recently president of the Illinois Bar Association, who spoke the words in behalf of the Chicago Bar Association at a memorial meeting in Chicago:

Soon after his first election to the bench, which occurred in June, 1879, he began to exhibit that remarkable grasp and profound apprehension of the fundamental principles of equity, which proclaimed him a great master in that high domain of jurisprudence. A court of equity is a court of conscience. The principles upon which it proceeds and on which it grants or withholds relief, are based upon the highest and most strictly ethical considerations known to any system of human law; and never was there an equity judge who more deeply appreciated this fundamental truth than did he whom, for many years, we at the bar have by common consent called "the Chancellor."

Another witness is Mayor Dunne, who on the same occasion said of him:

Among his peers upon the bench, during the 13 years that it was my delight to associate with him, his preeminent abilities as a judge made him easily the dean of the judiciary.

Year after year he was elected without opposition as chief justice of the Circuit Court, because all of his associates felt that by reason of his great and commanding talents he was justly entitled to the place.

The act of Judge Tuley which more than any other, perhaps, laid the foundation for his national fame as a democratic judge, was his decision in the case of Mostler and others against Bonfield and others. The plaintiffs had been prevented by the police of Chicago from holding peaceable meetings. This was a survival of the despotic police activities resulting from the public fears which the "anarchist" trials had excited. So oppressive had the police become that they made it impossible by their persecutions for a labor organization, the Arbeiter Bund, to hold public meetings. The reason they gave at the trial was that they "believed and were of the opinion" that the purpose of the Bund was "to plot and overthrow the laws of the State of Illinois and of the United States;" also that "the mayor and chief of police have forbidden these meetings because they believe the organization to be a treasonable one, and that if not prevented the said Arbeiter Bund will organize an attack upon the property and persons of the citizens of the State of Illinois."

The "better element" sentiment was of course strongly with the police, but Judge Tuley made short work of the matter. In the course of a long and carefully considered opinion he said:

I am astonished to find that at this day, in this free country, it should be urged by affidavit and arguments in a court of justice that a police official can forbid the meeting of a society or a public meeting because of his belief that the society is a treasonable one and the members are about to commit treasonable acts. If this be law, then every political, literary, religious or other society would hold their constitutional rights of free speech and peaceable assembly at the mercy of every petty policeman, for the chief in this respect has no more power than his lowest subaltern.

These were the first wholesome words on popular government from the lips of authority that had come out of Chicago since the people here had been thrown into

panic by the explosion of the Haymarket bomb. Naturally enough they drew general attention to Judge Tuley; and as they were an expression of deep-rooted convictions which governed him in all his relations, political and personal as well as judicial, the attention thus attracted was never withdrawn. In every public emergency of magnitude, Judge Tuley's voice was heard, and its tones always rang true to fundamental democracy.

V

Judge Tuley's democracy was not of the limited kind. As to legal rights all men looked alike to him—and women, too.

When the Illinois law allowing women to vote for university trustees went into operation, he escorted his wife to the polls as he escorted her to church, and with the same sentiments of fellowship.

Nor was this because he thought the suffrage for women peculiarly appropriate to school government. He was a broader minded man than that. It was because he thought it appropriate to citizenship.

He has left behind him the written notes in his own hand, for an extemporaneous address he made at Chicago in 1896 before the Swedish Equal Suffrage Society. In these notes he distinctly aligns himself with those who are "in favor of extending the franchise now given to women as to schools, to all other matters." A verbatim extract from this skeleton outline of his argument may be interesting not only as indicative of the broad democracy of his sentiments but as an illustration of his methodical habits of thought:

I. Conceding the right and capacity of women to vote upon one question, you concede their right and capacity to vote upon all questions. (a) No longer in classification. (b) If a carpenter could only vote on carpentering what would he say? (c) He would say—"Why should balance of men assume right to vote and legislate for me upon all other questions?" (d) Women equally interested, if competent; any more capacity required to vote for school trustees than to vote against broodle aldermen?

II. In favor of equal suffrage because the claims of women to equal participation in electing representatives to make laws and officials to

execute them are founded upon the broadest principles of justice and equity. (a) Is she not one of the governed? consent of; if she commits a crime. (b) If she owns property, taxation; taxation without representation is tyranny. (c) Is she not equally interested with men in laws governing the relation of: husband and wife; marriage and divorce; parent and child; guardian and ward; descent of property; wills; public morals; public health; public peace, order, welfare? If so, equal rights.—Women allowed vote in all corporations, in all mutual associations; in all business matters and property matters where men associate with women they treat them as equals. Why not equals in using the franchise to protect that property?—Future generations will look back and marvel how men could be guilty of such gross injustice to their mothers and wives, sisters and daughters—wonder and marvel why difference in sex should make difference in human rights.

III. Am in favor of franchise for women; it would improve quality of male voter. (a) Increase his respect for woman if she is admitted as equal in the government. Men in subordinate capacity—effect of raising them to higher positions. (b) It would stimulate home discussion of measures and men. Evil of the disfranchisement of women: they do not think enough of public questions—do not study them as they would if they had a remedy in the ballot. (c) Discuss questions of taxation, punishment of crime, questions affecting public morals, character of officials, etc. (d) No more harm result than discussion of religion, art, science. (e) Conflict? comparison of ideas result.

IV. Another and chief reason: Would have effect to purify elections. (a) Unless can purify elections, no hope. (b) Women more honest than men as a mass—[Proofs: Women cashiers, Senator Blair]—and purer than men. (c) To admit women to equality of franchise would throw into elections a purifying element. No theory: Wyoming, Kansas, England; all testimony to credit. (d) Reason is, women are apt to look for moral principle involved, and range themselves on that side. Some moral principle underlying every political question. Present question of national honesty. (e) Only the bad women would vote? Experience shows where women have voted that the best and most intelligent women have been chiefly represented at the polls. Even bad women do not vote for bad men. (f) Men row running for office; male voters will vote for—[I call no names]; women would not. (g) Take our City Council; sink hole of corruption; city streets; trolley; diamonds; rolling in wealth; women would not reelect

them; men do; why? Alderman good fellow, etc. (h) Recent action of County Commissioners; abolish township organization; women hate dishonesty in public or private life.

V. But women will never obtain complete suffrage until by constant and persistent agitation they convince the average male voter that they wish it. No reason why they should not have it because some do not want it; slavery times.—You have a duty to perform to the female voter as well as to the male voter; convince her; duty to herself, her family, her sex, to community in which she lives, to society at large. Men and women should realize that they live not for themselves alone; but as members of the Commonwealth have duties to fulfill, obligations which if disregarded and ignored bring to a nation the ruin of scoundrels, its utter corruption and downfall.

In these memoranda for an extemporaneous speech there are evident Judge Tuley's characteristic grasp and thoughtfulness together with touches of the profoundly democratic spirit and moral quality which made him the beloved public man he was. The memoranda would be worthy of preserving merely as a "human document." They are valuable, besides, as a vigorous argument.

VI

The last public service of Judge Tuley as a citizen in contradistinction to his services as a judge, and the one that doubtless extended and strengthened his national reputation, is still fresh in the public mind. Local itself, in all its aspects, this service has nevertheless proved to be of general concern; it is related to a municipal movement of national proportions. We are alluding of course to the movement in Chicago for municipal ownership and operation of street car service.

Judge Tuley first appeared prominently in this movement in the Summer of 1904. The occasion, the circumstances of which have been fully narrated in these columns, was critical, and he and Judge Dunne stood alone among the prominent citizens of Chicago in public protest for the protection of the rights of the people against the aggressions of the street car ring.

By their efforts the bartering away of the streets was prevented for the time; and in consequence

of those efforts and at the call of Judge Tuley, Judge Dunne was nominated for mayor. Judge Tuley's work did not end with that call to the people. He aided in the campaign, even to the extent of speaking at mass meetings; and after the election he became Mayor Dunne's closest, wisest and most trusted adviser.

All this was no easy task. Aside from the burdens of mind and body it entailed burdens of reputation; for Judge Tuley was attacked, less viciously than Judge Dunne but with innuendoes as cutting, as a judge in politics. But Judge Tuley refused to sink his citizenship in his judgeship. He maintained his rights of citizenship. And as he abhorred club room wire pulling and back-parlor politics, he maintained them openly.

For this he has been called courageous, and courageous he truly was. But his courage was not of the pachydermatous order. There was nothing stolid about his bravery. Almost the same remark could be made of his moral courage that he made himself of his physical courage. His fears made his hair stand on end, he says, in describing his journey across the plains. But he steadily pursued his journey. So with his moral courage. Judge Tuley dreaded the ordeals he faced. Never did man dread more the hostility he knew he would awaken by entering the contest in Chicago against the street car ring. But he entered it, and he never forsook it. Of him it could be truly said as Napoleon said of a trembling officer leading an especially dangerous assault: "There goes a brave man; he knows his danger and fears it, but he goes on."

Such was the judge, the citizen, the man, in whose death Mayor Dunne, as he himself has said, "lost a true friend" and his "wisest and most trusted adviser," and regarding whom he added this sentiment which we gladly adopt: "The city of Chicago has lost one of its best friends and the people of this city have lost the most powerful advocate and champion of their rights. While he himself has passed away to his eternal reward, the influence of his life will remain behind him. He is one of the deathless dead whose example, whose inspiration, whose

counsel, and whose record of action will remain behind to influence in the years to come the policies of the public men of this community and to shape their acts for the public good. His name and memory will live in the history of Chicago and in the hearts of Chicago's citizens when the names of its greatest financiers, its greatest merchant princes and its greatest captains of industry will be lost in oblivion."

Judge Tuley died on Christmas day, 1905, at the age of seventy-eight.

NEWS NARRATIVE

How to use the reference figures of this Department for obtaining continuous news narrative: Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue so until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Thursday, March 1.

Railroad rates in the Senate.

The Hepburn bill for the regulation of railroad rates, which passed the House on the 8th (p. 765), was referred in the Senate to the interstate commerce committee of that body. The committee agreed by a majority vote on the 23d to report it back without amendment. Only three Republicans of the Senate committee (Dolliver, Cullom and Clapp) voted for the report. The committee vote was 8 for the bill and 5 against it. The 5 Democrats voting in the affirmative were Senators Tillman, Carmack, Foster, McLaurin and Newlands; and the 5 Republicans who voted against it were Senators Elkins, Aldrich, Kean, Foraker and Crane. When a favorable majority report had been agreed upon in this manner, Senator Aldrich secured the addition of a clause, by a vote of 8 to 3, expressing an understanding that "members of the committee have the right to vote as they choose on amendments or to offer amendments in the Senate on consideration of the bill," which means that the fight has been transferred, regardless of party lines, from the committee to the floor of the Senate. And upon the plea that the report agreed upon by the majority was