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If it should turn out that the Panama canal syndicate of Wall street cannot secure a good title from the Frenchmen, President Roosevelt might resort to his new doctrine of "international eminent domain."

If the ravings of the Chicago organ of Grover Clevelandism, the Chronicle, which is owned and edited by John R. Walsh, a Chicago banker who aspires to be secretary of the treasury under the next Cleveland administration, as he did aspire under a previous one—if the almost daily ravings of this Cleveland organ against William J. Bryan are at all significant of the Cleveland point of view, it must be that Cleveland's friends look upon Bryan as the most formidable obstacle in their way.

The once celebrated son of President Van Buren, the gay "Prince John," a brilliant lawyer, by the way, happened to be in a New York courtroom upon an occasion when a trial was on, the due course of which the presiding judge persistently interrupted with questions and remarks indicating a bias. Though entirely without interest in the lawsuit, "Prince John" was irritated by the judge's partisanship, and he rebuked it with characteristic impudence. Leaning toward the lawyer for the defendant, the indignant "Prince" suavely asked, in a circumspect yet audible whisper: "Pray tell me, Vanderplatt, who's retained for the plaintiff, besides His Honor?"

The Mormons understand gentile nature. They have quietly notified some of the "business" classes of the United States, that these classes will conserve their own interests by urging their Senators to favor the admission of Senator Smoot, the Mormon polygamist. As the Mormons are large buyers, the effectiveness of this method of campaigning may be guessed. It is like some features of the plan that Mr. Hanna adopted to elect Mr. McKinley. Of what moment is any mere principle, political, moral or religious, in comparison with the prosperity of the "business interests"? Aren't "business interests" always ready to swap an immortal soul for a commercial invoice? Your "business man" is no lackadaisical idealist.

Justice Brewer of the United States Supreme Court, is reported to have said at a Bible Society celebration in Washington last week, that "the greatest glory of this nation lies in the fact that ever and always she has striven to translate into the vernacular of international law the parable of the Good Samaritan and the golden rule." Judge Brewer must have got mixed either as to the Bible parable or his country's recent history, for it wasn't the Good Samaritan that "passed by on the other side," as this nation did when the Boers asked recognition. The distinguished jurist's reference to the golden rule was probably ironical. Were we doing to the Filipinos precisely what we would have a "superior" people do to us, when we bought them for a price, wantonly destroyed their infant republic, laid waste their land, and slaughtered the inhabitants?

James Whitcomb Riley has written a poem on the late Senator Hanna. It appeared in Collier's Weekly for February 27. Listen to the eulogy. As Lincoln, Garfield and McKinley—

> . . . are dear to us, this man is dear,
> Being of them purely, e'en with smile and tear.
> They, they were of his day and memory
> And reverence. Aye, they were kin of him—
> Brothers, in truth, in broad humanity
> And joy in every human good there is.
> Like them he fought for Mankind's victory,
> Like them, too, he has gained.
> Like them he has strained
> To the full stature and maturity
> Of simple greatness (greater may not be).
> His latest smile, in glory like the Sun,
> Has fallen with equal love on everyone.

Henry George used to say that "only two kinds of poetry are fit to publish—the very good and the excessively bad." On that principle of selection Mr. Riley's "Hanna" is fit. If it were prose, Mr. Riley might be kindly warned that admirers of the late Senator Hanna had better "let well enough alone," lest they provoke candid comment on his career. But it is not even prose.

When Senator Gorman tried to make the race question an issue in national politics, by barbarously rallying against the American Negro all the class prejudice and race hatred and selfish love of living in the sweat of other men's faces which the American white man and woman are capable of harboring, he made no mistake in his choice of an issue. Where he blundered was in his method. The issue itself was ripe, and it is growing riper every day. Any skilfull demagogue might at any time raise the banner of white supremacy against the Negro, and almost sweep the country from Maine to Florida. This is one of the natural results of the imperialistic influences of recent years, to the potency of which the Negroes themselves have largely contributed by their votes. From the moment when the old slaveholders' political ethics of "manifest destiny" was revived by

McKinley, when the old slaveholders' ethnical philosophy of races with "superior" and races with "inferior" natural rights was adopted by McKinley's party, when the Jeffersonian principle which Lincoln proclaimed anew as "government of the people, for the people, and by the people" was abandoned by that party—from that moment the manhood rights of American Negroes were no longer secure either in South or in North.

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It is no longer necessary to turn to the South for evidence of Negro subjugation. We may, indeed, see numbers of this race at the South recklessly convicted by petty magistrates of petty crimes, so that they may be forced to work in chain gangs. We may see them lynched there and burned at the stake. We may hear President Roosevelt bitterly condemned there for no other reason than because he was once the host of a Negro gentleman of high character and accomplishments. But these things can be matched at the North now. Why does ex-President Cleveland deny with so much spirit the story that he also has eaten with a Negro, if he does not feel the force of the hostility of his own race to the Negro race? If it was not a fact that he had eaten with a Negro, his denial would of course have no such significance. But the spirit of his denial, the vigor with which he makes it, the indignation at what he evidently regards as an injurious slander, these are extremely significant. How very significant, also, is the combination in Chicago, of a lot of Presbyterians, Methodists, Baptists, Catholics and Lutherans to prevent the buying of a church building in their neighborhood by a respectable congregation of Negro Baptists. Nor does the growing anti-Negro sentiment of the North manifest itself alone in such comparatively trivial ways. In Northern Kansas and Colorado, as well as in Southern Texas and Georgia, popularly approved mobs have burned Negroes at the stake; less horrible forms of locally approved lynchings of Negroes have been reported from more settled Northern States. And from the overwhelmingly Republican county of Clark, in the overwhelmingly Republican State of Ohio, there now comes news of an atrocious attack upon Negroes, simply as Negroes, to which the old secession South furnishes no parallel. When in a Republican stronghold, in the heart of a State as distinctly Northern as Ohio, a mob rises up not merely to lynch a Negro prisoner, but to drive every Negro out of the place, to raze their houses to the ground, and to shoot to kill, regardless of age or sex, but with reference only to color and race—when such a demonstration is possible in such a place, it is not unreasonable to infer that the spirit of race hatred by whites against Negroes all over the country, has become as vigorous as it is satanic.

There was a world of significance in President Roosevelt's exclamation when Congressman Baker explained his interest in the bill for the sale of Indian lands in South Dakota. Mr. Baker had called upon the President to urge executive influence in favor of leasing instead of selling these lands. "What is your interest in the matter?" the President asked. Mr. Baker explained that as a single taxer he was interested in saving these lands from falling into the hands of land grabbers. It was then that Mr. Roosevelt exclaimed. "I am glad," said he, "to meet a man who doesn't want to see me about a post office."

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It is a sad commentary on public life at Washington, when the President is surprised into an expression of gratified amazement at meeting a Congressman who comes to talk with him about public matters in a public spirit instead of private graft in a grafter's spirit. It would seem from Mr. Baker's experience in Congress that the conception that most Congressmen have of their duty is to worry the President about post offices, fill their wallets with railroad passes, and laugh and sneer at the "fresh" Congressman who rejects passes and brings more important questions than post office patronage to the President's attention upon making official calls at the White House. A wager would be safe, however, even with heavy odds, that the Congressmen who do bother President Roosevelt with patronage applications, come away with more of what they go for, than Mr. Baker is likely to secure from the President for the public interest in connection with the leasing instead of the selling of Indian lands.

We have little hope that a recently started movement in Chicago will be allowed to develop far. Yet it is of great importance with reference to good citizenship and good public service. The movement in question contemplates an inquiry into the use of railroad passes and other passes, by State and Federal officials, including judges. This movement is said to have been inspired by a legal author, Seymour B. Thompson, and the editor of a law periodical, Adolph Moses, and to have the support of several law journals. Good luck to it. May it succeed in putting an end to this specious method of corruption. But we have doubts, for there are eminent judges who carry railroad passes; and where is the man who cares to incur the odium of exposing these honored functionaries when it comes to the sticking point?

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Congressman Baker's experience with railroad passes (p. 690) has not been encouraging. When he refused a pass, he might have said nothing about it; but that would have served the purpose of the bribers almost as well as if he had accepted. Quiet refusal is as useful as secret acceptance, so long as only a few refuse. So Mr. Baker told about it —"gave away" the bribe-offering railroad and his bribe-taking colleagues. Thereupon every pass-seeking Congressman sneered at

him, and every pass-soliciting editor jeered at him. Then he brought the pass question before the Democratic caucus in Congress, but by a considerable majority that virtuous body buried it in a committee. Still Baker persisted. His next move was to present resolutions to the House asking an inquiry. The resolutions went to the judiciary committee, and there they have fallen asleep. Perhaps Baker is tired out by this time. If he is, his fatigue is no greater than that of the Chicago gentlemen is likely to be, who are attacking the corrupting pass-privileges of eminent judges.

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In this connection we commend the following well considered opinion of pass bribery, which is valuable on its merits, regardless of the identity of the author, who prefers, doubtless for good reasons, as a practicing lawyer, to withhold his name. We quote it from the Chicago Chronicle of the 6th:

It is common knowledge among Chicago lawyers that as soon as a judge is elected to the bench his mail is full of passes from all directions sent him by both State and inter-State companies It is difficult to see why the railroads should do this except that they expect some advantage from these free gifts. I believe that if the commissions make a full investigation on this subject and an exposure is publicly made of it, the facts will show that every county judge in the 102 counties and every Supreme Court judge, including the Federal judges, is tendered yearly passes. The extent to which they are accepted can only be surmised. This point should be established and made a matter of record. Some judges spurn the passes, others use them. The people should know who they are. It is not the claim of any lawyer who is in favor of breaking up this practice that a railroad pass will affect the decision of a judge in an important case, yet the question remains whether anyone for a moment supposes that railroad companies grant these favors without an expectation of getting something in return.

In some respects these pass favors are worse than naked bribes. It is not easy to offer a naked bribe; it is easy to offer a pass. It is not easy to take a naked bribe; it is easy to take a pass. The judge who takes a naked bribe knows it as a bribe, and if he allows it to influence him he does so as a conscious criminal. But the judge who takes railroad passes cannot tell whether they influence him or not. In almost every case he is bribed without knowing he is bribed. There is a subtlety about pass bribery which makes it more dangerous than the highly profitable bribe of official commerce.

We have sometimes had occasion to call attention to the fact that when good roads (p.658) are made at public expense, the process is essentially one of taxing some persons in order to enrich others. This is not to say that good roads ought not to be made. They ought to be made, and plenty of them. But the persons whose property they increase in value ought to be taxed pro rata to pay for them. It is not fair to compel a man whose property is not increased in value by good roads, to pay for those roads, when the notorious effect is to increase the value of the property of another man, who pays no more toward the improvement. That is tantamount to giving back to the latter all he pays, and maybe with a profit added, while giving to the former only a better road to use, which the latter also gets. It isn't fair.

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Everybody ought to realize that it isn't fair; but one may realize this without being sure that the fact is as we have stated it. For that reason we quote from the New York Tri-Weekly Tribune of March 2, an unmistakable acknowledgment that farm owners expect to get a financial return from good roads which farm hands, farm tenants, mechanics and others who do not own landed property do not get. Says the Tribune in its "Good Roads" department:

It is rather an important matter that money be spent intelligently on the improvement of highways in order to bring farm produce more cheaply to market and increase the farm values by giving a better highway to carry farm produce on. This is shown very clearly from the official figures of the last Federal census report, in which are tabulated in comparative columns "the increase (or decrease) in the value of farms, including land with improvements, from 1890 to 1900." The total increase in all the States and Territories in the United States in farm values in the ten years was 27.6 per cent.

	Per Cent.
The increase in farm values in Maine was	1.0
The increase in farm values in New Jersey was	3.9
The increase in farm values in Connecticut was	4.9
The increase in farm values in Vermont was	6.5
The increase in farm values in New Hampshire was	7.0
The increase in farm values in Rhode Island was	7.0
The increase in farm values in Massachusetts was	23.7

In New York State there was a decrease of 6.1 per cent. in the ten years, equaling $70,000,000. New Jersey, in the last ten years, has built 1,000 miles of highway at a cost of $4,544,000. Massachusetts has built 430 miles of highway at a cost in round numbers of $5,000,000, and under its county system has built as much more. Connecticut has built 454 miles of highway at a cost of $2,500,000. New York, after six years of work, has built 300 miles of highway, at a cost of about $3,500,000, all in small sections, commencing nowhere and ending nowhere. And now it is a pity that the road advocates who desire to improve the farm values of the State by improving one mile in every ten of all the highways in all of the counties, so that when the system is completed there will be a continuous stretch of main highways leading from one county to another throughout the entire State of 8,000 miles, are told that they can only have $1,000,000 to build roads with this year, and this $1,000,000 will build 28 miles of highway in Orange county, and the other counties that want it can go begging. It seems that the political interests which neglect the expenditure of money for the improvement of farm values ought to become more conscious of the requirements of the agricultural communities, or there will be a great awakening among the voters and taxpayers.

Why should any State spend money to improve farm values? Some of this money comes from farm tenants. Yet not only will no financial benefit go back to them as a result of the good-roads expenditure, but the consequent "improvement of farm values" will involve their paying higher rents. The real meaning of higher farm values is that farm rents are higher.

Little Brother—I'd just like to know how to read.

Little Sister—Oh, I wouldn't. When you know how to read they give you a lot of books without any pictures.—Puck.

THE MORMON QUESTION.

A dangerous Constitutional precedent may be confirmed by the exclusion from the Senate of the United States of the Mormon Senator from Utah, Mr. Smoot, because he acknowledges more than one wife. For the same cause a Representative in Congress, also a Mormon from Utah, was excluded from the lower House (vol. ii, No. 88, p. 5, No. 89, p. 6, No. 95, p. 4, and No. 96, p. 2), four years ago. In the Smoot case the Senate appears now to be on the point of following that precedent.

The direct effects of this action are not likely to be serious. Whether one man or another is admitted to a seat in Congress is of little moment in itself except to the man and his friends, and it cannot very long or deeply concern even them. But in the precedents thereby established, extremely dangerous tendencies may possibly lurk. For there is a strong disposition in public life to swing away from the written Constitution, and, avoiding the bother of meeting new conditions with appropriate amendments Constitutionally adopted, to meet them with a loose construction of the Constitutional text, thereby building up a body of precedents which make an unwritten constitution, under the superincumbent layers of which the written Constitution, with all its safeguards, may in time be entirely lost to sight. We are assured, in the symbolism which has become so common with the cultivators of our unwritten constitution, that the unwritten is to the written as flesh to skeleton. Let us be all the more careful, then, concerning any precedent we are about to make. We must not allow the flesh to accumulate in wrong places, nor the wrong kind of flesh to accumulate at all.

One of the baffling difficulties in the way of meeting the Mormon question on Constitutional grounds, and preventing another accumulation of dangerous precedents, is the really dangerous character of the Mormon organization. In the face of two dangers, the lesser one, if concrete and immediate, is apt to seem more dangerous than the greater, if that is abstract and remote. And the Mormon church is truly a concrete and immediate menace to popular government. Not only has it in the past openly and does it in the present covertly justify polygamy, but it makes a religious institution the absolute master of its members in their civic relations. Not satisfied with ruling them in religion, it rules them also in politics. It is a theocracy, with all of evil to the character of the individual and of danger to the liberties of the body politic that the theocratic idea of government involves.

But a greater menace to free society than the Mormon church may easily arise out of unwise precedents intended to suppress the evils or check the power of that institution. Let us, therefore, freely scrutinize the precedent and fearlessly condemn it if it is dangerous, even though we may seem to the thoughtless and the foolhardy to be defending the evil at which it is aimed.

I.

By what right, under our written Constitution, does either House of Congress exclude a Mormon member?

This is the first question to be considered. For if Congress excludes Mormons without Constitutional right, who can say when it will not utilize that precedent to exclude Catholics, Episcopalians, Methodists, Presbyterians, Christian Scientists, Socialists, Populists, Democrats, or—with a change of party sentiment—even Republicans?

There is no limit to the policy of might, save opposing might. If one majority may construe the Constitution in one crooked way, to please its friends, another majority may construe it in another crooked way, to punish its enemies; and so there will come to be no living Constitution, but only chaotic anarchy with the dead Constitution for a plaything.

The Constitutional right upon which this power to exclude is placed by its advocates is phrased in the fifth section of the first article of the Constitution as follows:

> Each House shall be the judge of the elections, returns and qualification of its own members,—

and may—

> punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

There is evidently no authority here either for adjudging a polygamous Mormon ineligible or for expelling him.

As to expulsion, manifestly that right must rest upon some act of disorderly conduct by the member while a member and as a member.

The Constitution does not give to two-thirds of Congress the right to expel arbitrarily. That would in effect be power to deprive a constituency of representation; and if any one thing about the Constitution is more clear than another, it is that Congress has no Constitutional power to deny representation to constituencies.

The obvious purpose of the expulsion clause is to enable each body to preserve order within its own walls. It is simply a limited police power.

What could be more absurd than to suppose that a representative body, forced by the Constitution to admit to membership all persons possessing certain specified qualifications, might thereupon expel such a member for lack of some qualification not so specified?

Clearly, if Mormons may be denied seats in Congress at all, for upholding or practicing polygamy, it cannot be by expulsion; it must be by exclusion for lack of the Constitutional qualifications.

And what are the Constitutional qualifications?

They are specified in the second, third and sixth sections of the first article. A Representative must be chosen every second year (at times and places and in a manner which Congress may regulate), by voters of his State who are qualified to vote for the most numerous branch of the State legislature; he must be 25 years of age; he must have been a citizen of the United States for seven years; and he must, when elected, be an inhabitant of the State in which he is elected. A Senator must be chosen by the legislature of his State (at times and in a manner which Congress may regulate); he must be 35 years of age; he must have been a citizen of the United States nine years;

and he must, when elected, be an inhabitant of the State for which he is chosen. Neither Representatives nor Senators may hold any other Federal office.

Now it is on those qualifications, and on those alone, that either House has Constitutional authority to pass judgment. If the applicant for membership has been duly elected, if he is of the prescribed age, if his citizenship has been of the prescribed duration, if he was when elected an inhabitant of the State whose credentials he presents, and if he holds no other Federal office, he must be admitted—not may be, but must be. Congress has no more Constitutional right to exclude such an applicant than judges would have if the power to "judge of the elections, returns, and qualification" of members of Congress were lodged in the courts. The power is judicial, not arbitrary.

II.

As well might Congress assume to impose a property qualification or a religious test, as to require that members shall not be polygamous Mormons. Indeed, this requirement is a religious test.

It is not against polygamy itself, nor against concubinage in any form, that the precedent under consideration is being made. Mr. Smoot would meet with no obstacle at the doors of the Senate if he were a bigamist from New York, unless he had been convicted therefor as a felon and not restored to citizenship; and then the obstacle would be the same that any other disfranchised felon would encounter. It would have no special reference to polygamy as being in itself a disqualification. Or, if Mr. Smoot had maintained a harem in New York, not as a religious rite but in open defiance of all decent sentiment, he would encounter no obstacle at all at the Senate doors. Neither concubinage in itself, nor bigamous marriage in itself, is the object of attack in the Smoot case. It is bigamous marriage as a rite of the Mormon church. The question is essentially a religious question, the test a religious test.

That this is so is only weakly and perfunctorily disputed. It is met less frequently with denial than with a line of argument resting upon the terms upon which Congress admitted the Territory of Utah to Statehood. Those terms are construed to mean that Utah must perpetually prevent Mormon polygamy; and it is argued that Congress may enforce the terms by refusing to admit Mormon polygamists to membership, even though they are duly elected and possess all the Constitutional qualifications. The argument is convenient for the occasion, but it is heavily charged with every sort of political explosive.

What Constitutional authority had Congress to impose upon a new State an irrevocable non-Constitutional condition of Statehood? None at all. The Constitution itself prescribes the only Constitutional limitations that can rest upon the sovereignty of any American State.

True, Congress might impose any condition for admission to Statehood, not expressly un-Constitutional; for admissions to Statehood are discretionary with Congress. In this case, however, the condition was expressly un-Constitutional. A condition that Mormon polygamy shall be prohibited is tantamount to setting up a religious test; and the Constitution expressly forbids the making by Congress of any "law respecting an establishment of religion or prohibiting the free exercise thereof."

But if we disregard the religious nature of the condition imposed upon Utah, and consider it merely as a requirement that the new State should make bigamy a crime, regardless of religious sanction, the condition has no Constitutional vitality. While it could have operated to deny to the Territory the benefits of Statehood at the pleasure of Congress, this would have been an operation not of Constitutional right, but of non-Constitutional might. The potency of the non-Constitutional condition precedent imposed upon the subordinate Territory of Utah could not survive the Constitutional creation of the sovereign State of Utah.

When Utah became a State it acquired all the rights of sovereignty that the original States enjoy. And one of those rights is the right (12th Amendment) to all "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States." Powers delegated to the United States or prohibited to a State otherwise than by the Constitution, "are reserved to the States respectively." Consequently the State of Utah may legalize polygamy, whether as a religious rite or not, and may send polygamous Representatives and Senators to Congress, notwithstanding any bargain the defunct Territory of Utah may have made with Congress in the name and behalf of the then non-existent State. Even if made by the State itself, otherwise than through an amendment to the Federal Constitution, such a bargain would be impotent.

The question of Mormon polygamy in Utah is as clearly a domestic question, subject to regulation by the State itself, as was the question of slavery in Mississippi half a century ago.

III.

But must the people of the United States suffer the disgrace of protecting a polygamous institution, and incur the danger of having their liberties fall under the blight of a theocratic church, because that church happens to have gained control of one of the States? Such is the question, in one form or another, that recurs whenever the legal argument for Mr. Smoot's exclusion fails.

There are some people who throw considerations of law and order to the winds, if law and order stand in their way; and they are no more numerous in the labor movement than in churches, clubs and Congress. It is these chaotic anarchists who ask the kind of questions we have summarized at the beginning of this paragraph.

Let us consider the questions.

The real issue is not whether Mormon polygamy shall be stamped out, but how? Shall it be done lawfully or lawlessly?

In order to grasp that issue at the roots, let us suppose a similar though worse problem, without the minor complications of this one. We will suppose that the objectionable institution exists not in a new State, with which Congress has made a Statehood bar-

gain, but in one of the original States. We will suppose that in New Jersey, let us say, a theocratic sect has become very powerful politically, and that one of its rites is blood sacrifice—the murder of children, for instance, under ecclesiastical sanction and local legal permission. Such things have flourished (though not in New Jersey), just as eccleciastical polygamy has; and as polygamy has revived, so might these child sacrifices.

What should Congress do in such a case? What could it do?

To assent to toleration of the horror nationally would be unthinkable. We could not content ourselves with repeating that we are not a nation responsible for the morality of our States, but a federation responsible only for certain specified kinds of public management, and that these horrors do not fall within our Federal jurisdiction. In spite of all such protests, the civilized world would think and we should feel that the blood of these little victims of superstition was on our hands.

We could not regard the matter as strictly local. We could not but shudder at the thought of admitting participants in these ecclesiastical orgies into our national Congress. We should insist, and be right in insisting, that the practice be brought under national control.

But how?

Surely not by invading a sovereign State arbitrarily. Nothing but harm, incalculable harm, could come in the end, from a precedent, even with so great provocation, under which Congress could usurp the reserved domestic rights of any State.

Surely not by excluding from Congress Representatives and Senators from New Jersey, who were possessed of all the Constitutional qualifications, on the ground that they lacked the non-Constitutional qualification of abstention from the practice of ecclesiastical blood-sacrifices.

Neither by expelling those Congressmen for disorderly conduct as members, because of their participation, sanctioned by their church and unrebuked by the State they represented, in this awful yet non-Federal crime.

If the people of the United States were really opposed to blood-sacrifice, there is a way in which they could stamp it out more speedily than by any such acts of lawlessness on the part of Congress—a way which would possess the advantage of being lawful and orderly.

It is for such emergencies, among others, that the Federal Constitution provides for its own amendment. It was by taking advantage of this that we finally stamped out chattel slavery, another barbarian survival, with the iniquities of which, moral and political, the nation suffered long. So we could stamp out the horrible ecclesiastical practice we have imagined to have become prevalent and legal in one of our States.

Some difficulties would, indeed, be encountered in this course. Both Houses, by a two-thirds vote, would have to propose the amendment; or, on the application of two-thirds of the States, would have to call a convention for proposing and considering it; and the amendment would have to be ratified by three-fourths of the States. But these things could be quickly done if the emergency were great enough to have aroused the national conscience.

In that illustration is the answer to those who would attack Mormon polygamy by dangerously trifling with the Constitution instead of regularly amending it.

If there is not enough national sentiment against Mormon polygamy to carry through an amendment to the Federal Constitution, there is certainly not enough to justify the creation of precedents under which a bare majority in Congress may at any time find authority for overriding the Constitutional rights of weak minorities.

The only safe disposition of the Mormon question is through the amendment clause to the Constitution.

To expel Utah from the Union is out of the question. It would be revolutionary even if it were possible.

To exclude Representatives and Senators for any cause not applicable to Congressmen from every other State, is also revolutionary; and to exclude them for causes not specified in the Constitution is to create a category of unwritten qualifications the ultimate magnitude and despotic effect of which no man could foretell.

To expel them after their admission, for causes not in the nature of disorder prejudicial to legislative procedure and which do not Constitutionally disqualify is to open up new avenues for shutting off popular representation in Congress.

Yet the evil, if the people of the United States so regard it—and if they do not it is not a proper subject for Congressional interference—can be speedily, safely, effectively and lawfully suppressed. Nothing is necessary but the adoption of a Constitutional amendment subjecting marriage and divorce to national regulation, along with the other matters of personal and local concern, such as bankruptcy, which have already been committed to national control.

Whether such an amendment ought to be adopted or not is beside the question. The point is that this is the only lawful manner of accomplishing the object sought to be accomplished by the dangerously arbitrary expedient of excluding Mormon Representatives and Senators from Congress.

EDITORIAL CORRESPONDENCE.

Washington, D. C., March 5.—Owing to press of other matters and because of sickness I did not keep track of the "Rosebud Reservation Bill" after its passage in the House on February 1st, and until this week I was under the impression that it had also passed the Senate and gone to the President. I was therefore gratified to learn from the Monday evening Washington papers that the President had expressed opposition to the bill in the form in which it passed the House and was said to favor putting the lands up at public auction.

While this was not a change of great moment, yet it was satisfactory to know that the President was considering any plan other than the present one. I therefore on Tuesday called upon him to urge that the leasing system be substituted for the old plan of outright sale at an up-set price.

When the subject was first broached, he was quite vigorous in asserting that he would not consider the leasing of farming land. I requested an opportunity to say something in favor of the leasing system before he determined his

attitude toward the several Indian reservation bills which were about to come before him; as the signing of them, particularly in their present form, would practically fix the policy of the United States on the subject for the next few years. Several bills providing for the sale of Indian reservation tracts amounting to some two million acres had already passed the House. He requested that I return in the afternoon, when he would listen to what I had to say on the subject.

At the second visit I was greeted with the query: "What is your interest in the matter?" with a strong accent upon the "your." Upon my reminding him that I was the lone single taxer in Congress, he expressed delight that one member at least was not after a post office.

I insisted that whether he agreed with single taxers or not as to the cause of land monopoly and its remedy, he must at least agree that we were earnest and sincere in asserting it to be the correct solution of the problem. To this he assented, even saying that from an "academic" standpoint he was more largely in agreement with us than we might imagine. He, however, declared that while it was his intention to take the matter up in the near future, he did not think it could first be done with the Reservation lands, as he could not say to the Indians: "We are going to lease your lands, while continuing to sell the public lands."

Upon my inquiring whether his objection was due to his thinking that this was not "the line of least resistance," he said: "It is not the line of fair resistance!"—that it would not be fair to the Indians to commence with them.

It is a matter of regret that the signing of some 150 commissions of postmasters had just previously occupied so much of his time that he was unable to go into the discussion of the matter then at greater length, but he reiterated his intention of taking the matter up at an early date, and requested that I see the Land Commissioner, General Richards, and discuss the subject with him, stating to him the substance of our conversation. This I hope to do very soon.

In the meantime I request readers of The Public to peruse at the nearest public library the Congressional Record of this date,—Saturday, March 5th (page 3009-3012), as it contains some brief remarks of mine to-day on this subject to which I have attached the memorial of the Indian Rights Association, dated February 29th, opposing the Rosebud Reservation Bill (H. R. 10428), an article from the "Outlook" of February 27th, 1904, by George Kennan, the Siberian explorer, and considerable other testimony going to show that the price at which this bill directs that the 416,000 acres be sold, is so far below its real value that the Rosebud Indians will be defrauded out of nearly three-fourths of even the present value of their lands. Brief letters, direct to the point, addressed to the President and to Senators, urging that the latter oppose and the former veto the Rosebud Reservation Bill on the ground that the nation is in duty bound to protect its wards—the Indians—from being thus defrauded, would probably be effective. To-night's Washington papers announce that the President has declared to Congressman Sherman, the chairman of the House Committee on Indian Affairs, that he is unalterably opposed to the terms of payment fixed by the bill as it passed the House, i. e., when mine was the only voice raised and the only vote recorded against it.

The other bills providing for the sale of Indian Reservation lands are very similar in their provisions. If the President persists in his present attitude toward them, they will undoubtedly be amended in the Senate and will therefore have to come back to the House for concurrence in the Senate amendments. Advantage can therefore be taken of this opportunity to point out the uniformly evil effects which have resulted from the policy of selling outright the public lands—where the Indians have not been the beneficiaries of the sale, as well as in such cases as this. That policy has enabled syndicates and individuals to corral immense tracts of land. One firm alone, that of Miller and Lux, of California, owns fourteen million acres. The letters should point out that the leasing plan would insure that whatever increment of value might in the future attach to the land because of increase of population, would go into the public treasury in increased rentals at the end of every—say, five-year—reappraisement, instead of as now, creating millionaires and multimillionaires.

As these bills are liable to be returned to the House and called up at any time without notice, it is desirable that Congressmen be also written to along similar lines. Resolutions of clubs and other organizations directed to the President, to Senators and to Representatives would also be of service.

ROBERT BAKER.

NEWS

Week ending Thursday, March 10.

The military censorship is still so strict on both sides in connection with the Russo-Japanese war (p. 757), that but little news of real value has reached the press. One of the American correspondents at London, Mr. I. N. Ford, advising his paper, the New York Tribune, on the subject, has fairly described the conditions as follows:

> The news agencies and newspapers are having great difficulty in getting dispatches from Corea. The managers, who have made most elaborate arrangements for covering field operations, admit that they are receiving meager returns for large expenditures, owing to the rigorous censorship. The experience of the Boer war is likely to be repeated, with one important exception, namely, that official bulletins are few and untrustworthy.

In all probability, however, there are as yet no important war events to report. Naval demonstrations continue in the region of Port Arthur; one or two have occurred within a few days past at Vladivostok; and the concentration of land forces along the Yalu river, the boundary between Corea and Manchuria, is reported. These are the only facts regarding military operations that can be relied upon. Regarding the Yalu concentration Japanese troops are said to have advanced in force along the Corean railroad as far as Anju, Corea. The latest report describes them as having even crossed over the Yalu into Manchuria, and the Russians as having fallen back. The Russian headquarters are stated to be at Mukden, Manchuria, on the line of the Russian railroad. Skirmishes between outposts have probably occurred frequently; but there is no reason to believe that the rumors and reports of land battles have any other basis.

In the midst of the war Japan has held parliamentary elections, the result of which were reported on the 4th from Tokio as follows:

	Members.
Constitutionalists (ministerialists)	130
Progressives	96
Imperialists	20
Liberals	26
Unclassified parties	107

It is estimated that the ministry will have 180 supporters, and that all important measures are assured a safe majority.

With reference to the Philippines, an active and influential agitation for their independence has begun in the United States. It is under the management of the following national committee, to be known as the "Philippine Independence Committee:"

Arkansas.—Hon. U. M. Rose, former president of American Bar Association.

California.—James M. Allan, Chas. T. Lummis, editor of "Out West;" and President David Starr Jordan, of Leland Stanford, Jr., University.

Colorado.—Gen. Wm. J. Palmer, president of Rio Grande Western Railway.

Connecticut.—Prof. Wm. G. Sumner, of Yale University.

Delaware.—Geo. Gray, U. S. Circuit Court judge.

District of Columbia.—Wayne McVeagh.

Georgia.—Chancellor Walter B. Hill, of the University of Georgia, and Hon. Hoke Smith.

Illinois.—Prof. J. Lawrence Laughlin, of the University of Chicago, and J. L. Spalding, R. C. bishop of Peoria.

Louisiana.—President Edwin B. Alderman, of Tulane University.

Massachusetts.—Charles Francis Adams; President Chas. W. Eliot, of Harvard University; President G. Stanley Hall, of Clark University; Prof. Wm. James, of Harvard University; Bliss Perry, editor of Atlantic Monthly, and Hon. Samuel W. McCall.

Maine.—President Geo. C. Chase, President Wm. De W. Hyde.

New Jersey.—Prof. Henry Van Dyke, of Princeton University.

New York.—Dr. Felix Adler; W. H. Baldwin, Jr., president Long Island R. R. Co.; Andrew Carnegie; R. Fulton Cutting; W. D. Howells; Rev. W. R. Huntington, rector of Grace church; Rev. C. H. Parkhurst; Geo. Foster Peabody; Henry C. Potter, P. E. bishop of New York; President J. G. Schurman, of Cornell University; Prof. Edwin R. A. Seligman, of Columbia University, and Horace White.

Ohio.—Gen. R. Brinkerhoff; President Henry Churchill King, of Oberlin college, and Judge Reuben B. Smith.

Pennsylvania.—Geo. Burnham, Jr., of Burnham, Williams & Co., proprietors of Baldwin Locomotive Works; Philip C. Garrett, retired manufacturer; President Isaac Sharpless, of Haverford College, and Robert Ellis Thompson.

Rhode Island.—W. N. McVickar, coadjutor P. E. bishop of Rhode Island.

A petition, of which copies for signing and soliciting signatures may be procured of E. W. Ordway, 150 Nassau street, New York City, (to whom also signatures with occupation and address may be sent by letter with authority to add to the petition), was put out on the 8th in the following form:

We, the undersigned, members of all political parties, join with the abovenamed Committee in urging upon the approaching national conventions the adoption of resolutions pledging to the people of the Philippine Islands their ultimate national independence upon terms similar to those offered to Cuba.

Among the Americans of distinction whose signatures to this petition have already been secured are Cardinal Gibbons, of Baltimore, Bishop Huntington, of Syracuse, N. Y., Charles Eliot Norton, of Harvard, and Geo. T. Edmunds, now of Philadelphia, but formerly U. S. Senator from Vermont.

An outbreak of whites against Negroes occurred in Springfield, Ohio, on the 7th and 8th. It began with the lynching of Richard Dixon, a Negro of Kentucky. As the story is reported, Dixon had asked a policeman, Charles Collis, to protect him from a probable assault by an inmate of the hotel in which he lived, upon his attempting to remove his belongings. This was on the 6th. Collis accordingly accompanied Dixon, and while in his room was, for some reason not very clearly or positively reported, shot by Dixon, who was thereupon arrested. On the following day the wounded policeman died and late that night a large mob attacked the jail for the purpose of lynching Dixon. The rioters were successful. They frightened the jail authorities into delivering up the prisoner to them, and on getting possession of him they killed him in the jail yard by shooting. After this they carried his dead body to a telegraph pole and hanging it there spent the next half hour in riddling it with bullets.

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Local dispatches attribute the lynching to the fact that although several cold blooded murders have been perpetrated in the county, the death penalty has never been inflicted. But subsequent accounts indicate that the lynching was really due to race animosity rather than popular indignation over unpunished crime. With the excuse that some Negroes had been heard to threaten revenge for the lynching of Dixon, a mob of 3,000 persons gathered on the 8th and attacked the Negro quarter of the town, setting it on fire with the avowed intention of destroying the buildings and killing every Negro who refused to leave the city. The Mayor appealed to the Governor for assistance, and State troops were ordered to the scene. Extracts from a Chicago Tribune dispatch of the 9th from Springfield give an idea of the outbreak:

The arrival of nearly a regiment of State troops shortly before midnight checked the operations of the mob and undoubtedly prevented a heavy loss of life. The "levee" consists of two squares of wooden and dilapidated brick cottages along the Big Four railroad tracks, near the center of the city. Its black population is estimated at between 600 and 700. The main approach to the district is by Washington street. In Washington street about dusk, the first groups of what afterwards became a mob began to be seen. The men were armed and for the most part talked of the murder of Policeman Colles. While the crowds were forming, a large number of blacks also congregated. They were armed, and it looked for a time as if a battle between about equal forces of blacks and whites would be fought. . . . There was some desultory firing, and, with the increasing of the white mob, the blacks began to disperse. By 9 p. m. scarcely a colored man was to be seen on the streets up-town. Later the mob started for the "levee" with the cry: "Burn the niggers out!" They ranged through the streets of the district, firing at intervals at darkened cabins in which black men, women and children hid in terror. About 11 o'clock the militia companies were hurried down High street in the direction of the district. Their approach appeared to be the signal for starting the fires. A volume of flames was seen to shoot up from the rear of a place occupied by "Les" Thomas, a saloonkeeper. Preceding the firing of the building the mob, at a distance of a hundred feet, shot at the front of the building for a half hour, but it is not known whether any of the occupants had remained in the building, and, if they did, whether any fatalities resulted from the shooting. The fire spread both ways from Thomas' place, and soon the entire levee was a mass of flames. The sudden appearance of the troops had a dampening effect on the mob. It was soon brought under control and pressed back from the burning "levee." The fire department, whose work had been hampered by the mob, was then enabled to begin work. The fire was beyond control in the Negro quarter and the department devoted its efforts to prevent its spreading. Springfield is practically under martial law and Gov. Herrick at Columbus has notified the authorities that the troops will be kept here until order is fully restored.

On the 10th local dispatches stated that on the 9th there was not a colored man within the corporate limits of Springfield, a city in which the colored population aggregates 15,000. The lawlessness had not then abated.

NEWS NOTES.

—Funds are being collected for meeting the expenses of the municipal ownership referendum campaign in Chicago. Wm. Bross Lloyd, 113i Unity Building,

is the treasurer, and acknowledgements are made through the Chicago American and Examiner.

—The Rev. Wm. Henry Harrison Murray, noted thirty years ago as "Adirondack" Murray, died at Guilford, Conn., on the 3d, at the age of 64.

—The mayor of Hammond, Ind., in spite of popular opposition, has signed the 50-year street car franchise (p. 758), which it is charged was passed corruptly.

—Rutland, Vt., is another of the cities which boast a single tax mayor. The name of the Rutland mayor is John S. Carder. He was elected this month on the Workingmen's ticket.

—The Republican convention of Kansas, in session at Wichita on the 9th, nominated E. W. Hoch for governor, and instructed its delegates to the national convention to vote for Roosevelt.

—The argument in the Federal Court at Chicago, before Judges Grosscup and Jenkins, relative to the 99-year traction franchise (p. 758), was concluded on the 3d.

—The "Grosser Kurfurst," of the North German Lloyd steamship line, carried 800 Sunday school workers from New York on the 8th on a voyage to the Holy Land. They are to attend the fourth World's Sunday School Convention, which is to meet in Jerusalem in April.

—On the 5th the motion for a new trial in the case of Samuel A. Groff, one of the recently convicted defendants in the post office trial at Washington (p. 579), was overruled, and sentence of two years' imprisonment and $10,000 fine imposed. Bail in $20,000 was given pending appeal.

—Field Marshal Count von Waldersee, of Germany, died at Hanover on the 5th, at the age of 72. His widow is an American woman, formerly Miss Mary Lea, of New York. She was the widow of Prince Frederick of Schleswig-Holstein Sonderburg when she married Waldersee in 1874.

—At Lima, Peru, on the 4th, an earthquake in the early morning, lasting about a minute and the severest felt there for 30 years, drove thousands of persons from their homes into the streets, and felled the walls of many buildings. Only one person was killed, but many were injured. One of the structures seriously affected by the shock was the cathedral.

—The world-renowned Dreyfus case (vol. ii, No. 77, p. 7; No. 78, p. 9) is again before the French courts. Convicted upon retrial in 1899, but immediately pardoned, Dreyfuss has persistently sought a rehearing. This was granted by the Court of Cassation, criminal branch, at Paris on the 5th, and a supplementary investigation ordered for the purpose of settling all the doubtful points which have been the basis of the application for retrial. This investigation began before the same court on the 7th.

PRESS OPINIONS.

THE HEARST CANDIDACY.

New York Evening Post (Ind.), Mar. 1.—It is well known that this man has a record which would make it impossible for him to live through a presidential campaign—such gutters would be dragged, such sewers laid open! We can only refer to the loathsome subject. Let those who want a hint of the repulsive details turn to the Congressional Record of January 8, 1897. There they will find a speech by Representative Johnson, of California, showing the kind of millstone which would be hung about Hearst's neck if he were ever to come before the voters. . . . We are convinced that it is only necessary to set forth the facts in order to make an end of this unspeakable candidacy. Hearst's record will crush him as soon as it is known. It is, obviously, better for the party, better for the nation, that it should be known before the convention. Afterwards, it would be too late for the party that nominated him to save even its honor. It is not a question of politics, but of character. An agitator we can endure; an honest radical we can respect; a fanatic we can tolerate; but a low voluptuary trying to sting his jaded senses to a fresh thrill by turning from private to public corruption, is a new horror in American politics. To set the heel of contempt upon it must be the impulse of all honest men.

Hearst's Chicago American (Dem.), Mar. 8.—Representative William Randolph Hearst has dared, in his newspapers and in Congress, to attack special privilege, to wage war upon thieving corporations and the criminal trusts in the interest of the people. The trusts are fighting back, and no weapon within reach of their angry hands is too foul for their cowardly use. Organs of the trusts throughout the country are seeking to serve their owners or subsidizers, not by attempting to meet Mr. Hearst's indictment of their masters as robbers of the public and corrupters of our politics and government, but by printing vile slanders regarding Mr. Hearst's private life. Conspicuous among these filth-flinging lackeys of the vengeful trusts is the New York Evening Post, whose fabrications are made the basis for like publications in other organs engaged in this campaign of indecent detraction. What are the sources from which these assaults upon Mr. Hearst's character emanate? The editor and proprietor of the New York Evening Post is Oswald Villard, son of the late Henry Villard, who in his time was a perfect type of the "captain of industry," the modern pirate, for whose suppression Mr. Hearst, as journalist and legislator, never ceases to labor. Morally, Oswald Villard is worthy of his father, but in intellect and energy, he cannot stand comparison for an instant. From the wholesale scope of the parent the son has sunk to the petty enterprises of the small retailer. This Oswald Villard, editor and proprietor of the New York Evening Post, who lends his newspaper to the trusts for the purpose of assailing the character of Mr. Hearst, is charged in court by his sister with having despoiled that sister of her inheritance. And in support of his slanders in the Evening Post this degenerate son of Henry Villard (who at least was a man of brains and courage) cites—whom? Ex-Representative Grove L. Johnson, of California! Here we trace the stream of sewage to its cesspool. Grove L. Johnson. A forger and criminal—a confessed forger and criminal. What was Johnson's motive for inventing these lies, which had their birth in a speech delivered by him in the House of Representatives on January 8, 1897—a speech referred to always as the warrant for this campaign of loathsome falsehood against Mr. Hearst by the Villards of journalism and politics? The same motive precisely which now inspires the trusts in their attacks upon Mr. Hearst—revenge. Johnson was elected to Congress from Sacramento, and instead of representing the people there served the Southern Pacific Railroad Company, which was to California then what the trusts are to the whole country now. Mr. Hearst's San Francisco Examiner, which then, as now, warred upon corporations that pillaged the people, arraigned Johnson for his subservience to the monopoly and reprinted his record.

Johnstown (Pa.) Daily Democrat (Dem.), Mar. 4.—None of the conservative Democrats, who exulted over Tom Johnson's tremendous defeat in Ohio last fall, had an idea that the wiping out of Johnson meant greater momentum to the Hearst candidacy. Yet does not a strict regard for the truth of history compel one to point out that in crushing Johnson they helped to raise up Hearst? Had Mr. Johnson even made a fairly close race for governor, he would surely have been the presidential candidate of the more radical wing of the Democracy, and at least he would have made a decent, respectable leader. But the Ohioan was terribly beaten by the aid of gold Democratic votes. And now the Hearst candidacy profits from the absence of Tom Johnson in the field. The descent from Johnson to Hearst is frightful—it might be said that it is tragic.—[Springfield Republican.]—The "conservative" Democrats are not likely to bewail the result of their work in Ohio. Any price at all to pay for shelving so terrible a menace to privilege and plutocracy as Tom Johnson was small enough. Mr. Hearst may be distasteful to them on personal grounds. His social life may not measure up to their virtuous standards. They may dislike his yellow methods and his shocking liberties with certain traditional dignities. But they recognize at the same time that he is a far less dangerous man to "conservative" interests than Mr. Johnson. Because Hearst's plans will not work—and those of Tom Johnson will. Mr. Hearst besides is an imperialist; he believes in grabbing islands or in stealing a horse if you need it badly enough. He is a promoter of militarism. He is spurring the country on to huge expenditures for a naval establishment to menace the peace of the world. And he has shown no evidence in his papers or elsewhere of any well grounded conviction on any essential of real democracy. As a presidential candidate he would be on the defensive from the word go, and his election would be practically impossible. And this is really what "conservative" Democrats desire. Roosevelt is good enough for them.

THE SOUTH AND THE PRESIDENCY.

Jacksonville (Fla.) Times Union (Dem.), —Let it be understood, then, that the South is not a dictator, and that she left at Appomattox any consuming desire to deserve success without gaining it. The South is most anxious to shut the doors of the White House on Theodore Roosevelt; she conceives this to be her highest duty just now. She knows how many votes are necessary to secure this end; she knows she has not enough of herself. Therefore, she asks her allies to give her a candidate who can carry New York and some others necessary to success. There are Democrats who can carry hide-bound Republican States, and it is from these that our candidate must come. Surely the man who could carry Rhode Island twice on a straight Democratic platform is a man to conjure with.

RACE HATRED.

Chicago Evening Post (Rep.), Mar. 9.—The lynching of Dixon was the result of hatred for the Negro, not for the criminal. If not, why did the mob, whose taste of blood made it lust for more, vent its fury on the innocent colored population of Springfield in general, burn their homes and shoot at every flying figure that the flames drove into the open? The white mob of Springfield within 24 hours did all that savage instincts suggested, and the delay of the constituted authorities in getting the State troops where they could be of service abetted the rioters and murderers. And a city in a Northern State has gone to an extreme in showing hatred toward the Negro that scarcely has been equaled in any part of the South.

New York Nation (Ind.), Feb. 25.—The bill to abolish Berea College which has been before the Kentucky house of representatives, has now been repassed in an amended form. By a vote of 75 to 5, it was decreed that after July 15 there shall be no coeducation of the races in Kentucky. A white and a Negro school may, however, be managed by the same institution provided that they are 25 miles apart. This is race prejudice rendered ridiculous by its own friends. . . . A benighted Northerner aware only that Berea's great work for whites and blacks has never been tarnished by any scandal or intermarriage, it would seem as if, to be logical, the Kentucky Solons should now pass a law forbidding any colored family to read books within 25 miles of any white family. If the

superior race is to be protected, let the protection be thorough. . . . . There is growing indignation at the action of the Pullman Car Company in refusing seats and berths on their cars to colored people. We are informed that the withdrawal of accomodations, which originally began in Tennessee, is now spreading through the South, and that soon the only way in which a respectable colored man or woman can travel North will be by sitting up in a Jim Crow car, or by engaging an entire sleeper. The latter method was resorted to by Bishop Arnett and other colored dignitaries of the Methodist Church in going to the council of bishops held in Mobile. . . . Before long, the courts will be called upon to decide whether there is no legal remedy under the Interstate Commerce law for this outrage upon a race.

SUPREME COURT ANARCHISM.

New York Evening Post (ind.), Mar. 1.—There must be something wrong with the Supreme Court of the United States. We had never suspected it of anarchistic leanings before, but here it has actually treated Turner, the English anarchist, as if he were a human being, instead of a social outcast to be handled like a dog. Secretary Cortelyou's agents, it will be remembered, seized Turner on the platform of the Lenox Lyceum when he was making an address on labor unions. They hustled him off to Ellis Island and locked him up This was in true Russian style, for his offense was not what he was saying or had said in America, but what he was believed or thought or rumored to have said in England in the course of the last ten years. Some newspapers, like the carping Evening Post, and a few cranky citizens, saw in this a most scandalous interference with the right of free speech. But they were promptly characterized as lovers of anarchy, and accused of wanting to bring about the assassination of another President. This was in November last, and meanwhile Turner has been in close confinement. Now comes along our misguided Supreme Court to give comfort to assassins. It has released the offender on bail, and set his hearing for early in April. Meanwhile, he is to travel about, and is actually to be allowed to keep his lecture dates in monarchical Canada. It really looks as though the Supreme Court thought that such old-fangled questions as the freedom of opinion and of speech deserved the careful consideration they have always received at the hands of English tribunals.

IN CONGRESS.

This report is an abstract of the Congressional Record, the offical report of Congressional proceedings. It includes all matters of general interest, and closes with the last issue of the Record at hand upon going to press. Page references are to the pages of Vol. 38 of that publication.

Senate.

Washington, Feb. 29-Mar. 5, 1904.

No business of general interest was done on the 29th, but on the 1st the Senate bill to regulate shipping between the United States and the Philippines was taken up for consideration (p. 2728). This subject was continued on the 2d (p. 2793). The naval appropriation bill was under consideration on the 3d (p. 2864), the 4th (p. 2942), and the 5th (p. 2986).

House.

On the 29th the House began consideration of the District of Columbia appropriation bill (p. 2689), which it continued on the 1st (p. 2738), the 2d (p. 2824), and the 3d (p. 2873). On the latter day it was passed (p. 2892), and the Indian appropriation bill was taken up (p. 2893). Consideration of the Indian appropriation bill was resumed on the 4th (p. 2919) and continued on the 5th (p. 3001), when the bill was passed (p. 3019).

Record Notes.—Speech of Representative Foss on naval appropriation bill (p. 2646). Speech of Representative Baker on sale of Rosebud Reservation lands (p. 3009).

To admire pluck in a base cause is to hazard contamination.—Diary Consolidated Stock and Petroleum Exchange, of New York.

MISCELLANY

SILENCED.

AN EPITAPH.

For The Public.

Death has been the punishment which the world, and those in authority, have awarded to persistent truth-speakers, in innumerable cases, in the history of mankind. Instances are so many and well known, that it is unnecessary to give any.

He would speak nothing but truth;
And so we slew him;
And, now he is silent,
Rejoice therefore: he is dead.
Spurn him!—Spit upon him!
And he is silent.
And he shall speak the truth
No more.

BERTRAND SHADWELL.

PENALIZING OPINION.

At this time, when John Turner is held for deportation because he "disbelieves in all organized government" under a law recently enacted by Congress, the following speech by Henry George, delivered in Cooper Union, New York, in 1894, is of peculiar interest. The report is from the New York World.

The final rally of the Democratic Party Reform Organization, which placed Everett P. Wheeler in nomination for the Governorship, was held in the large hall of the Cooper institute, and was so largely attended that at six o'clock standing room was at a premium. Considering that the big guns of the anti-Hill party were not advertised to speak, and that the Gubernatorial race of Mr. Wheeler was, of course, known to be hopeless, the size of the audience was astonishing, and can only be explained on two grounds. First, that Henry George, who was announced to speak, has an enormous personal following, and, second, that Grover Cleveland's followers in this city are as full of enthusiasm and fight as ever. In fact, the subsequent action of the audience showed that it was about evenly divided between admirers of President Cleveland and of Henry George, for, although the President's name was cheered when it was first mentioned, Mr. George was quite as heartily cheered when he said he could not understand why Mr. Cleveland's name should awaken any applause.

Among those on the platform were Candidate Everett P. Wheeler, Robert Baker, Thomas G. Shearman, Otto Kempner, Joseph Larocque, Charles Frederick Adams, Benjamin F. Butler, Jr., John J. Hopper, Rev. Dr. Maynard, W. J. Gorsuch, J. L. Denison, W. J. Atkinson and R. R. Bowker.

Henry George spoke at length and with great vehemence. It was not until after he had spoken at least 3,000 words in ventilating his own personal and somewhat peculiar views on the tax question that he got to the issue in which an anti-Hill audience might be supposed to be interested.

"David B. Hill," said he, "is now posing as a lover of labor; as a man who has the interests of labor at heart. What has he ever done for labor? Possibly some little things called for by organized labor, and he has appointed a lot of labor leaders to little positions, earning their support. Labor is the creator of all wealth; labor is the one thing that has no little favors to ask. It is monopoly that wants protection. But labor—labor wants only justice; labor wants only fair play. What we want for labor is not such miserable and shameful laws as those which meet men seeking our shores and turn them back again; men who come here to this country to work, as our fathers came. The great movement for labor is along the line of taxation.

"David B. Hill has persistently opposed every movement of that kind, and to-day, in his opposition to the income tax, he assures us that the national revenues should be raised by a tax on commodities of which this sugar tax that he helped to put in and prevented the repeal of, is an example—the tax that falls on the poor sewing girl as heavily almost as it falls on the wife of the richest hundred millionaire in the land.

"Mr. Hill is posing as a defender of liberty of religion and opinions. He has raised the cry against the A. P. A. I do not need to tell any one here that I do not belong to the A. P. A. I do not have to tell anyone here that I am not a bigot in religion. But seek where you please, there is one place where you will not find them, and that is in the ranks of the single tax men. As for this A. P. A., it is a sort of excuse for democracy. I have seen the thing where it began. I have heard the beat of the Irish drums—the Orange drums on the anniversary of the battle of the Boyne at Belfast, and a very funny thing it is. Wherever that has existed it is simply an importation from the other side of the water, something that grew up there. It was a device to split the Irish people. But it will die out here. It cannot live at this time and in this country. David B. Hill is posing as a defender of the right of belief and of opinion! He is a nice man to pose as a defender of that right.

"Here is something that there has been very little said about. I would like to occupy a little time in speaking about it. Here is a copy of a Senate

document — Senate Document No. 2314. Since the first Congress met, aye, since the first Colonial Legislature was formed, there never has been so wanton, so flagrant an attack upon the principles of liberty, of liberty of thought, as this bill, and David B. Hill is its author. This is the bill popularly known as the anti-anarchist bill, the bill introduced into the Senate of the United States in its last closing days by David B. Hill.

"I am not an anarchist; it is also needless for me to say that. But I am far from sharing in the opinion that an anarchist is merely a man who wants to use dynamite. The anarchists have not a monopoly of physical force. That has been used over and over again by trades unions, by American patriots, and by people of all kinds. Anarchy in its true meaning is a belief; it is a political philosophy. It is an extension to its limit of the old democratic belief that the best government is the government that governs least.

"The anarchists would abolish government. In that I think they are mistaken. I think they go too far on one side, just as the socialists go too far on the other side. But every anarchist has a right to his opinion. Now, what is this bill? A bill to provide for the exclusion and deportation of alien anarchists, which provides that no alien anarchist shall hereafter be permitted to land in any part of the United States; that a board of inquiry is to examine every person who is suspected of being an anarchist. This is David B. Hill! Every alien seeking admission into the United States is to be examined if he is suspected of being an anarchist. Examined as to what? As to whether he ever blew up a house, or killed an emperor, or murdered a brutal and oppressive governor, whom human laws could not reach? No, nothing of that kind. He is to be examined by pertinent questions as to his antecedents, and as to his opinions as to government!

"Is there any difference between examining a man as to his opinions as to government, and if you do not like him sending him back again, and asking his opinion as to God, and after that sending him back? He is to be examined as to whether he belongs to any society or association of known anarchistic tendencies, and this board may examine the person of such alien for marks indicative of such membership. What does that mean? To examine him from the crown of his head to the soles of his feet for marks indicative of such tendency! What marks? Would a man looked for by all the police of the monarchies of Europe mark himself so that he could be known by them? No; but in some of those countries political prisoners are marked. This precious bill took that way of finding out whether any man coming to this country in search of liberty had been under the ban of the despotic police of Europe.

"And more. This board may accept evidence of an emigrant's common reputation as an anarchist, and the judgments of foreign courts and police investigations may be taken as prima facie evidence, which may be deemed sufficient, unless controverted.

"And this bill goes on to provide that, in case they think there is evidence of his holding such opinions, he is to be sent back from this country, and from there the bill goes on to appropriate $60,000 of money wrung from labor by the most atrocious taxation. For what? To send agents who are virtually to be police spies to Europe; there to go into connection with the police of European countries, and to find out and report here whom they suspect to be anarchists.

"Why, under that bill such a man as Prince Krapotkine, a man who enjoys the hospitality of England to-day, a man who as an investigator has rendered the greatest service; such a man as Prof. Reclus, who enjoys the freedom of free Switzerland, a man who stands to-day as the most eminent of living geographers—under that bill if such men came to this country they could be taken up, examined as to their opinions of government and then sent back to Europe. The man who introduced that bill was David B. Hill. A man posing as a democrat; posing to-day as a friend of labor; posing to-day as a defender of free speech. There never was such an atrocious bill introduced into the Congress of the United States.

"And in that Senate which has become an American house of millionaires, that Senate which was only anxious to serve the sugar trust, for good and sufficient reasons; in that Senate this bill passed without opposition, and it might have been to-day the law of the land, just as the atrocious Russian treaty that binds us to send back political offenders to Russia is the law of the land. It might have been the law of the land, but, thank God, there was one real democrat, a single tax democrat—John DeWitt Warner—who stood up and protested, and killed that bill there and then. No man who ever introduced such a bill as that into the Senate of the United States, whatever else he may have done; no man who ever fathered such a bill as that can have my vote any time or for anything. John DeWitt Warner, a man who stood up and did this, the man who has been true to all his pledges, has been turned down by Tammany. You cannot vote for him this year. Tammany and Hill! They are simply parts of the same thing. I shall vote against Tammany and I shall vote against Hill."

MR. GARRISON ON MR. HANNA.

AN OPEN LETTER TO REV. EDWARD EVERETT HALE.

Published in the Springfield (Mass.) Republican of February 26.

Dear Sir: Your recent eulogy of Senator Hanna at the Washington funeral services, wherein you extolled him as "a whole-souled child of God who believed in success and who knew how to succeed by using the infinite powers," if a true estimate, compels one to readjust his ideas either of the Ohio politician or of religion.

On such occasions it is natural that expressions evoked by a keen sense of loss should lack the restraint and balance which marks later judgments of character and service. Grief is rarely joined to dispassionate speech. But you were not under the spell of close friendship. "I knew him very little," was your voluntary acknowledgment. Of him and his career, however, aside from his agreeable personality, you held a common and undisputed knowledge. That conceded, how is your picture of the deceased to be reconciled with the reality?

These ostentatious and exceptional honors were not rendered to the senator's memory because of individual probity, genial manners or family virtues. These traits are not in themselves reason for distinction. It is true that great stress is laid upon them in this instance, evidently to draw attention away from the indefensible acts of his political career,—the special acts, however, which this deliberate public display was calculated to condone. To this scheme your sincere friends have cause to regret that you lent your respected name and reputation.

Whatever Senator Hanna's personal merits or party value, it is undisputed that his political methods, now held up for admiration, would have been adjudged criminal had he applied them to private transactions. They are in-

cluded in this graphic indictment by a well-known writer:

The party was the country to Mr. Hanna, and, as the Sun says, his way of keeping his party in power was not a nice way. The game of politics was played to win. The offices of the country, with their salaries and "chances" were to be used to the party's advantage. He treated the South as a captured province. He filled the Federal offices in that section of the country with profligates and worse. He was the outspoken foe of all attempts to purify the public service. He was the friend and champion of the spoilsman. He was the arch-enemy of the merit system. He was for using for the party's gain all the machinery which had been laboriously constructed for the public weal.

If these grave charges have weight, and Senator Hanna's defenders prefer justification to denial, the question recurs concerning the fitness of your eulogy. How could "a whole-souled child of God who believed in success and who knew how to succeed by using infinite powers," engage in such godless work and so misuse those powers for finite corruption.

Unhappily posthumous praise of unworthy men by worthy eulogists is no rarity. It is rare that such eulogy is ever adopted by the historian of the times. It will not be in this instance. Rather he will record that in a degenerate day, through a degenerate party, the foes of democratic government essayed the subversion of the republic. As of old, they resorted to material temptations in order to weaken ideality, tempting greed by the display and glamor of wealth. In Senator Hanna they found concentrated the highest qualities for an effective instrument, all the more effective from possession of qualities that have human charm His type pervades the history of all decadent republics.

"Many men know how to flatter, few know how to praise," says the Greek apothegm. May I suggest that, better for the fame of the dead senator and more worthy of your own, would have been a funeral discourse in the spirit of Aeschines's oration when he debated whether Athens should grant Demosthenes a crown:—

Most of all, fellow-citizens, if your sons ask whose example they shall imitate, what will you say? For you know well it is not music, nor the gymnasium, nor the schools that mold young men; it is much more the public proclamations, the public example. If you take one whose life has no high purpose, one who mocks at morals, and crown him in the theater, every boy who sees it is corrupted. When a bad man suffers his deserts, the people learn;—on the contrary, when a man votes against what is noble and just, and then comes home to teach his son, the boy will very properly say: "Your lesson is impertinent and a bore." Beware, therefore, Athenians, remembering posterity will rejudge your judgment, and that the character of a city is determined by the character of the men it crowns.

WM. LLOYD GARRISON.

Lexington, February 24, 1904.

GERMAN SOCIALISM.

An extract from "Rise and Progress of Socialism in Germany," by William Jennings Bryan, published in the Chicago Sunday American of February 14. This article is one of a series of foreign articles written by Mr. Bryan, now appearing in the Chicago American.

THE GERMAN ELECTIONS.

In Germany Socialism as an economic theory is being urged by a strong and growing party. In the last general election the Socialists polled a little more than 3,000,000 votes out of a total of about 9,500,000. Measured by the popular vote it is now the strongest party in Germany.

The fact that with 31 per cent. of the vote it only has 81 members of the Reichstag out of a total of 397 is due, in part, to the fact that the Socialist vote is massed in the cities and in part to the fact that the population has increased more rapidly in the cities, and as there has been no recent redistricting the Socialist city districts are larger than the districts returning members of other parties.

GERMANY'S SOCIAL DEMOCRACY.

George von Vollmar, a member of the Reichstag, in a recent issue of the National Review thus states the general purpose of the Social Democratic party in Germany:

It is well known that Social Democracy in all countries, as its name indicates, aims in the first place at social and economic reform. It starts from the point of view that economic development, the substitution of machinery for hand implements, and the supplanting of small industries by gigantic industrial combinations deprive the worker in an ever increasing degree of the essential means of production, thereby converting him into a possessionless proletarian, and that the means of production are becoming the exclusive possession of a comparatively small number of capitalists, who constantly monopolize all the advantages which the gigantic increase in the productive capacity of human effort has brought about.

Thus, according to the Social Democrats, capital is master of all the springs of life and lays a yoke on the working classes in particular and the whole population in general, which ever becomes more and more unbearable.

The masses, as their insight into the general trend of affairs develops, become daily more and more conscious of the contrast between the exploiter and the exploited, and in all countries with an industrial development society is divided into two hostile camps, which wage war on each other with ever increasing bitterness.

To this class-war is due the origin and continuous development of Social Democracy, the chief task of which is to unite these factions in an harmonious whole which they will direct to its true goal.

Industrial combination on a large scale can be converted from a source of misery and oppression into a source of the greatest prosperity and of harmonious perfection when the means of production cease to be the exclusive appanage of capital and are transferred to the hands of society at large.

The social revolution here indicated implies the liberation not only of the proletariat but of mankind as a whole, which suffers from the decomposing influence of existing class antagonism whereby all social progress is crippled.

AIMS OF THE GERMAN SOCIALISTS.

One of the most influential of the German Socialists, in answer to a series of questions submitted by me, said in substance:

First—The general aim of Socialists in Germany is the same as the aim of other Socialists throughout the world—namely, the establishment of a collective commonwealth based on democratic equality.

Second—The Socialists of Germany have organized a liberal party of unrivaled strength; they have educated the working classes to a very high standard of political intelligence and to a strong sense of their independence and of their social mission, as the living and progressive force in every social respect; they have promoted the organization of trade unions and have by their incessant agitation compelled the other parties and the Government to take up social and labor legislation.

Third—German Socialists at present are contending for a legal eight-hour and for the creation of a labor department in the Government, with labor offices and labor chambers throughout the country. In addition to these special reforms Socialists are urging various constitutional and democratic reforms in the State and municipalities—in the latter housing reforms, direct employment of labor, etc.

Fourth—There may be some difference of opinion among Socialists in regard to the competitive system, but being scientific evolutionists they all agree that competition was at one time a great step in advance and acted for generations as a social lever of industrial progress, but they believe that it has many evil consequences and that it is now being outgrown by capitalistic concerns whose power to oppress has become a real danger to the community. They contend that there is not much competition left with these monopolies and that as, on the other hand, education and the sense of civic responsibility are visibly growing and will grow more rapidly when Socialism gets hold of the public mind Socialists think that the time is approaching when all monopolies must and can safely be taken over by the State or municipality as the case may be. This would not destroy all competition at once—in industries not centralized some competition might continue to exist. In this respect also all Socialists are evolutionists,

however they may differ as to ways and means and political methods.

Fifth—As to the line between what are called natural monopolies and ordinary industries the question is partly answered by the preceding paragraph. There is a general consensus of opinion that natural monopolies should, in any case, be owned by the community.

I find that even in Germany there are degrees among Socialists, some like Bebel and Singer emphasizing the ultimate ends of Socialism, while others led by Bernstein are what might be called progressionists or opportunists—that is, they are willing to take the best they can get to-day and from that vantage ground press on to something better. It is certain that the Socialists of Germany are securing reforms, but so far they are reforms which have either already been secured in other countries or are advocated elsewhere by other parties as well as by the Socialist party.

THE QUESTION OF COMPETITION.

The whole question of Socialism hangs upon the question:

Is competition an evil or a good?

If it is an evil then monopolies are right and we have only to decide whether the monopolies should be owned by the state or by private individuals.

If, on the other hand, competition is a good thing, then it should be restored where it can be restored.

In the case of natural monopolies where it is impossible for competition to exist the government would administer the monopolies, not on the ground that competition is undesirable, but on the ground that in such cases it is impossible.

Those who believe that the right is sure of ultimate triumph will watch the struggle in Germany and profit by the lessons taught.

I am inclined to believe that in Germany political considerations are so mingled with economic theories that it it is difficult as yet to know just what proportion of the 3,000,000 Socialist voters believe in "government ownership and operation of all the means of production and distribution."

OLD AGE PENSIONS.

The old age pension act was given as a sop to the Socialists, but it strengthened rather than weakened their contentions and their party.

It remains to be seen whether the new concessions which they seem likely to secure will still further augment their strength.

The Germans are a studious and a thoughtful people, and just now they are absorbed in the consideration of the aims and methods of the Socialist movement (mingled with a greater or less amount of governmental reform), and the world awaits their verdict with deep interest.

WHAT MIGHT BE DONE FOR CHICAGO.

A portion of an address made at the dinner of the Commercial Club of Chicago, at the Auditorium, February 27, 1904, by Judge Edward F. Dunne.

Gentlemen of the Commercial Club:

You have asked me to address you briefly about the advantages and disadvantages of the proposed Constitutional Amendment permitting a special charter for the city of Chicago.

I am thoroughly familiar with the terms of the proposed Constitutional Amendment, and was a member of the so-called convention which discussed its provisions and finally agreed upon the proposed amendment.

I am heartily in favor of the proposed Constitutional Amendment. I endeavored to have what I believed to be a better and more satisfactory amendment adopted by the so-called convention, but having failed in that I heartily voted for the proposed amendment that we adopted, and took great pleasure in personally urging its adoption upon members of the last legislature in Springfield. I am still heartily in favor of its adoption, and will do everything in my power in my humble way, to have this amendment to the Constitution approved of by the people and incorporated in the Constitution.

* * * * *

I am clearly of the opinion, however, that a much more simple and a much more thorough Constitutional Amendment could have been devised and recommended by this convention, than that which was recommended. The proposed Constitutional Amendment may answer for present purposes; but the city of Chicago is a rapidly growing community and its needs, necessities and demands will be constantly enlarging and changing, and as the years roll by, in my judgment, it will be found that the proposed Constitutional Amendment will not cover all its necessities and requirements. The city of Chicago has quadrupled in population in the last 24 years, and it is likely to increase that population in the same proportion. It would not surprise me if within 20 years there were 5,000,000 people in the County of Cook, and that this tremendous aggregation of people will be suffering within a few years from legislative evils and burdens not now contemplated and which cannot be foretold or predicted. Because of this fact I believed, as a member of that convention, and now believe, that a more elastic, comprehensive and far-reaching amendment to the Constitution should have been adopted.

Those being my opinions, I had the honor, in that convention, to propose as a substitute for the amendment finally adopted the following:

Resolved that Art. IV of the Constitution of this State be amended by adding thereto a section to be numbered Sec. 34, which shall read as follows, to-wit:

"The General Assembly shall have power, anything in this Constitution to the contrary notwithstanding, to enact any and all laws which may be requested in writing by the City Council of the city of Chicago, or by ten per cent. of the legal voters of said city, said laws to be applicable only to said city, and to take effect only when approved by a majority of all the legal voters of said city voting thereon at the next municipal election held not less than 30 days after the enactment of said law or laws."

In moving the adoption of the above proposed amendment to the Constitution, I was honestly endeavoring to accomplish the same object aimed at by the other members of that body of gentlemen, to-wit: to give power to the city of Chicago to adopt a charter which would be adequate to its needs and necessities as distinguished from the needs and necessities of the State at large. If my scheme could and would attain that end, it had three advantages over the scheme finally adopted.

1st. It was more concise and succinct.

2nd. It was more simple and easily understood.

3rd. It was more comprehensive and elastic.

This was not disputed by any man in that convention, composed, as it was, of the ablest lawyers and shrewdest business men in the city of Chicago. It was assailed by them not on the ground that if passed it would not stand the test of judicial inquiry and examination, but that it was novel and revolutionary. Not a man on the floor of that convention, where were John P. Wilson, Thomas A. Moran, John H. Hamline, John S. Miller, E. Allen Frost, H. C. Mecartney, Walter S. Fisher, J. D. Andrews, and a host of other legal lights, claimed, that if my substitute should be adopted by the people that it would not stand the test of judicial inquiry, or that it could be overturned by a court of last resort. Any objections that could be urged against it in a court can be urged against the proposed Amendment to the Constituton finally adopted; but they are utterly without force as against both.

The only objections urged against the substitute resolution offered by myself were.

1st. That it was novel and revolutionary.

2nd. That it would enable the citizens of Chicago, by popular vote, to suspend the habeas corpus act, abolish trial by jury, suppress free speech, and deprive themselves of all the rights secured by the Magna Charta.

As to the first objection, I am free to admit that it is new and revolutionary in Chicago, although I advocated the same proposition over a year before in this city and had the idea very favorably commented upon by so conservative and careful papers as the Chicago Chronicle and Journal.

But that it is new or revolutionary in modern political economy is untrue. The principle therein enunciated has been in practical and successful operation for 30 years last past in the Republic of Switzerland, is binding law upon the citizens of that Republic, and has operated to the entire satisfaction of the 5,000,000 people of the Republic, which, in my opinion, has the purest and most upright Government upon earth. In proof of this statement, let me quote the following:

Theodore Curti, the Swiss historian and statesman, declares:

> The wholesome effect the Referendum exerts upon the country cannot be overestimated. It is a political school for the people; hence an invaluable element of culture. Wherever it is applied all classes of the population take interest and participate in discussions of the question at issue; mutually imparting and receiving valuable economic and political information.
>
> The Referendum has proven itself a potent factor, both to legislation and to the country at large, in this: that it has strengthened the influence of public opinion upon the representative bodies, who are naturally prone to assume powers which ultimately belong to the people, gradually degenerating into a ruling caste, with the result that private interests are promoted while the affairs of the people are neglected or intentionally buried in some committee.
>
> I have been a member of legislative assemblies in Switzerland for the past 17 years, and it is my conviction that the Referendum has not prevented the passage of many beneficial laws that we desired to have enacted; but that it has prevented the committing of many errors, owing to the mere fact that it stood as a warning before us.

Karl Burkli, a well-known Swiss economist, declares:

> The smooth working of our federal, cantonal and municipal referendum is a matter of fact, a truth generally acknowledged throughout Switzerland. The Initiative and Referendum are now deeply rooted in the hearts of the Swiss people. There is no party, not even a single statesman, who dares openly oppose it in principle, and yet many of them curse the institution in the depths of their hearts.
>
> All the divers votings—federal, cantonal, municipal—go on without riot, corruption, disturbance or hindrance whatever, although with great agitation. . . . Our Swiss political trinity—Initiative, Referendum and Proportional Representation—is not only good and holy for hard-working Switzerland, but would be even better for that grand country of North America. It would cure them thoroughly of their leprous representation, both federal and state, and regenerate the misgovernments of their great cities.

Mr. McCrackan, in his interesting history of "The Rise of the Swiss Republic," says:

> It will always remain the chief honor and glory of Swiss statesmanship to have discovered the solution of one of the great political problems of the ages—how to enable great masses of people to govern themselves directly. By means of the Referendum and the Initiative this difficulty has been brilliantly overcome. The essence and vital principle of the popular assembly has been rescued from perishing miserably before the exigencies of modern life, and successfully grafted upon the representative system.

That my proposed amendment would enable the citizens of Chicago to suspend the habeas corpus act, abolish trial by jury, and deprive themselves of all the rights which man holds dear, is true, if not restrained by the Federal Constitution. It would do more. It would enable them, if not restrained by the Federal Constitution, to reestablish slavery and bring back the feudal system. Is this an argument or a bogy? Was there ever an instance in history of a man, a family, a community, or a nation giving up and surrendering that which was dearest to them? What have men been struggling for during the long, dark, dreary centuries? For light, life and freedom. You can trust the great body of the people at all times to preserve their lives, their liberties, and the pursuit of happiness. There is not an instance in history where a people, by popular vote, ever surrendered the right of trial by jury, the rights secured by the writ of habeas corpus, the right of free speech, a free press, or any other right which is secured by the common law. Tyrannical rulers in the past and tyrannical judges in recent times have deprived men of these rights. The people never rob themselves of these inestimable rights. In framing constitutions the people have always reserved these rights to themselves. Now, what are constitutions? Creatures created by the people. The people are the creators of constitutions. The constitutions are the creations of the people.

The purpose and reason for the making of a constitution is to place limitations upon the powers of the law-makers chosen by the people in a representative form of government, and to reserve to the great body of the people certain rights which they will not trust their chosen representatives to legislate upon or barter away. A constitution is a limitation upon the powers of the legislature; not a limitation upon the right of the people themselves to make laws. The right of the people to legislate for themselves in a true republic, such as is the United States of America, is fundamental, absolute, plenary and unlimited.

Certain forms and methods of ascertaining and expressing the will of the people may have to be complied with under existing laws and constitutions, adopted because of the impossibility of assembling together all of the people in one mighty body. But when these forms are complied with, the will of the people is ascertained, it is plenary, absolute and supreme. They can make and unmake constitutions, and annul all laws, fundamental and legislative. The whole fabric of the American government is based upon the theory that the people themselves are the source and origin of all law, constitutional and legislative.

The Initiative and Referendum simply recognize this fundamental principle of a republican form of government—that the people are the ultimate law-making power—and provide a simple, easy and convenient method of enabling the people who are the source and origin of all the law-making power to legislate directly for themselves upon questions of great public interest.

In offering to the convention my substitute resolution, I merely suggested a simple method to the people of Chicago of exercising that inherent right of legislating directly for themselves. Why should it not have been given them? The citizens of each State in the Union have the right to make and unmake their Constitutions, or, if they should so elect, to make laws by the process of the initiative and referendum not in conflict with the Federal Constitution. Why not give to the city of Chicago the same right?

The city of Chicago has a population of 2,000,000 souls. Great cities need laws specially adapted to great, crowded, congested communities which would be useless, irksome, or it might be dangerous to rural communities. Even if this were not so, a city of 2,000,000 inhabitants might be given as much law-making power as a State of like population.

According to the federal census of 1900, there were 31 out of the 45 States in the Union which have a population less than that of the city of Chicago.

If the lesser population of these States are given plenary law-making power—within the limits of the Federal

Constitution—why should not Chicago be given the same right?

Why should this overgrown and still rapidly-growing giant be kept in the swaddling clothes of an infant? The proposed Constitutional Amendment adopted by the so-called convention would give it a suit of clothes fitted for its present size. The initiative and referendum would give it a suit for present use and an unexhaustible supply of cloth for use in its future growth and development.

Every law demanded by the requirements and necessities of a great city from year to year, which might be presented to the Legislature by the City Council, or by ten per cent. of Chicago's voters could, not necessarily would, be passed by the Legislature, and if adopted and approved by the citizens of Chicago by popular vote, would become a law impregnable against attack in the courts. Why should not this be the situation in a great city in a Republic based upon popular suffrage?

In these latter days the delusion seems to have gone abroad that Constitutions and Legislatures are the masters, instead of being the servants of the people. Powerful interests seem to be instilling this poisonous delusion into the minds of the people. Lest we forget that the people are the source and creators of all Constitutions and of all laws, let us go back and consult the greatest, highest and broadest Statesman of our country. Walker's American Law declares:

> The representatives, to whom authority is delegated, are the servants of their masters, of their constituents, whose will it is their office to execute.

Daniel Webster declared:

> The sovereignty of government is an idea belonging to the other side of the Atlantic. No such thing is known in North America; with us all power is with the people. They alone are sovereign, and they erect what government they please.

George Washington declared:

> The powers under the Constitution will always be with the people. It is temporarily intrusted to their representatives—their servants; they are no more than the creatures of the people.

James Madison more emphatically declares:

> The Federal and State Governments are, in fact, but different agents and trusts of the people, instituted with different powers. The ultimate authority resides with the people alone.

Judge Parsons, of Massachusetts, in the ratifying convention of the State, characterized the Federal Government as:

> A Government to be administered for the common good by the servants of the people vested with delegated powers.

Alexander Hamilton, in the ratifying convention of New York, while arguing in favor of the Constitution's adoption, said:

> What is the structure of the government? The people govern.

Chief Justice Marshall, while emphatically speaking of the people's control over their representatives, declared:

> Who gave may take back.

The experience of the last 30 or 40 years that we have had with corrupt and profligate legislators and common councils has forced upon reflecting citizens the conviction that a check upon legislative corruption and profligacy is absolutely necessary. The people are the only superior power who can apply this check, and this check can be applied only by the Initiative and Referendum.

It has abolished corruption, profligacy and plunder of the people's rights in Switzerland. Why should it not do so in Chicago? Under such a system the lobbyist would be abolished and the wealthy corruptionists would disappear forever.

The only objection that can be urged against it is that it will interfere with the wholesale traffic in franchises and debauchery of its representatives, which has prevailed too long and too injuriously to the interests of the people of this community.

BOOKS

A FOURTH OF JULY ORATION.

"The Principles of the Founders," Edwin D. Mead's oration before the city government and citizens of Boston, at Faneuil Hall, July 4, 1903 (Boston: American Unitarian Association), is an inspiration from Lowell's thought in answering Guizot when the latter asked how long the American Republic would endure: "So long as the ideas of the men who founded it continue dominant."

Mr. Mead is always eloquent with the eloquence of democratic thought elegantly and simply expressed, and this Independence Day oration is no exception. It is a fine example of what a Fourth of July address at the present time ought to be.

One thing upon which Mr. Mead dwells needs special emphasis in the common thought. This is the relation of war to poetry, and its bearing upon American history. "'Cursed is the war no poet sings!' is the fine authoritative line of one of our Boston poets," says Mr. Mead; "and however much subsiding passion still divides us, we shall all soon, I think, rejoice together that, although the Revolution and the Civil War hold so great and sacred place in our literature, there is no single reputable song there which celebrates the conquest of Mexico or the conquest of Luzon."

Allied in thought is Mr. Mead's view of the possible righteousness of war. As a peace man, distinctively and aggressively, his choice of and comment upon the following extract from Emerson have especial value. We quote from the oration: "There have been righteous and necessary wars. 'The cause of peace,' said Emerson, 'is not the cause of cowardice. If peace is sought to be defended or preserved for the safety of the luxurious and the timid, it is a sham, and the peace will be base; war is better. If peace is to be maintained, it must be by brave men, who have come up to the same height as the hero, but who have gone one step beyond the hero!' Howells has told us that there are greater words than patriotism, and among them are civilization and humanity. So there are greater words than peace, and among them are justice and honor."

In our view of the matter that sentiment is absolutely sound in principle, notwithstanding that it is often distorted by the selfish who confuse justice with "destiny" and honor with "glory."

BOOKS RECEIVED.

—"The Ethics of Literature." By John A. Kersey. New York: Twentieth Century Press, 17 E. Sixteenth St. Price, $1.50. To be reviewed.

PAMPHLETS.

"Abraham Lincoln's Democracy" is a pamphlet reprint of the contribution made to the Lincoln birthday number of the Johnstown (Pa.) Democrat, by John R. Dunlap, of New York, editor and proprietor of the Engineering Magazine and author of "Jeffersonian Democracy." It is especially interesting for the light it throws upon Lincoln's views on the question of tariff protection.

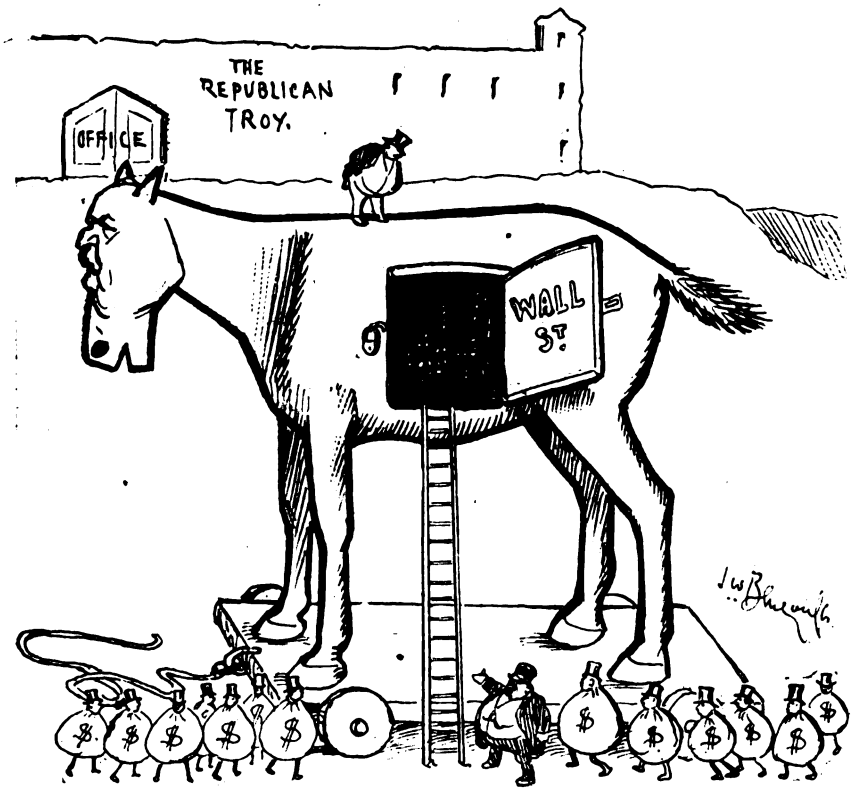
"The American Guild" is a pamphlet by Thomas M. Butler (Thos. M. Butler, Box 1093, Chicago; price, 15 cents) in exposition and advocacy of a constitutional amendment empowering Congress to "organize into guilds the various trades, professions or pursuits, and to grant to each guild, respectively, sole and exclusive control of all the matters designated in its charter," etc., etc. The scheme might be a satire on socialism, but it isn't; and it is too much like a nightmare to be called a dream.

PERIODICALS.

John Dewitt Warner's discussion, in the Ethical Record for March, of the subject of municipal socialism and home rule, is strong in argument and surprising in the high repute of the heretofore unquoted authorities it cites in support of both tendencies.

The German letter in the March Atlantic from William C. Dreher, presents a thoughtful and interesting summary of large affairs in Germany during the year just closed. It is especially enlightening on the relations of Socialism to German politics. Race factions in labor unions, by Wm. Z. Ripley, and "Books Unread," by Thomas Wentworth Higginson, are among the other noteworthy contributions to this issue.

The Nation's unfriendly reviewer of Mayor McClellan's new book, "The Oligarchy of Venice," says: "It seems never to have occurred to him that forms of government are not inevitably good or bad." We may agree with the reviewer that no form of government is inevitably good, but it is to be hoped that Mr. McClellan's readers will go with him in believing that any form of oligarchy is in-



THE ANCIENT STRATEGY.

Plutocracy—"All aboard for Washington."

evitably bad, whether it be that of Venice or a modern ring. In the same number of the Nation (February 25) Prof. W. E. B. DuBois, of Atlanta, calls attention to statistics of the twelfth census showing that the illiteracy of Negroes (ten years of age or over) has decreased from 79.9 per cent. in 1870 to 44.5 per cent. in 1900.

J. H. D.

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The Springfield Republican quotes from the London Daily Mail an interesting account of Richard Whiteing, by Justin McCarthy. Mr. McCarthy gives high praise to an early, little-known novel by Whiteing, entitled "The Democracy." It was not until the publication of "No. 5 John Street," that the author became widely known. "All the reading world," says Mr. McCarthy, "took to 'No. 5 John Street,' and even Mr. Whiteing himself, one of the least self-assertive of men, must have seen that he had at last taken his place among the best of living novelists. According to my judgment, 'The Yellow Van' is, on the whole, superior to 'No. 5 John Street,' and when I say that I should be ready to give it a place on an equality with that deserved by 'The Democracy,' I do not know that I could accord to it any higher praise."

J. H. D.

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In the New York Independent of February 25, Mr. N. O. Nelson, the well-known manufacturer, profit-sharer and writer, of St. Louis and Leclaire, gives a brief and interesting account of the Tent Home for Consumptives which he started a year ago near Indio, Cal. "On the elastic terms," he says, "of no charge to anyone for camping ground and facilities, and low charge or no charge for tents and equipment, and, in some cases, board, also, I am glad to receive all who apply." In the same number of the Independent Emile Vandervelde, a member of the Belgian Chamber of Deputies and leader of the Belgian labor movement, predicts that a great conflict is impending between socialism and the Catholic church. He adduces many interesting facts as to conditions in Europe, but his article is by no means convincing that the impending conflict will assume this special form.

J. H. D.

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Mr. Joseph Leggett, in the San Francisco Star, shows up the shortcomings of the portion of Bulletin No. 49 issued from the Government Printing Office at Washington, headed "Labor Conditions in New Zealand," by Victor S. Clark, Ph. D. While the article pretends to include the land question, Mr. Leggett points out that it does not even mention the local option law. This act is briefly described by Mr. Leggett as follows: "It empowers any city, county, borough or road district to determine by a majority vote of its ratepayers, to raise all its local revenue by a single tax on the value of land. This is a single tax law without graduation and without exemption. The best practical proof of its beneficial effects is the fact that in the last six and a half years it has been adopted by the rate-payers of one-third of the colony, and has never been repealed where once tried."

J. H. D.

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A writer in Harper's Weekly says: "Corea is a land of extreme beauty and fertility, though it has for years suffered from certain political evils which we may the more easily understand as they have analogies nearer home. It has a land question almost identical with the Irish land question, except that, in Ireland, the landlords were additionally odious as representatives of foreign conquest and foreign domination, the rule of an alien race and and alien faith. But in both Corea and Ireland, the heart of the land question, economically speaking, was the same; a year-to-year tenancy, which gave the landlord the right to raise the rent every time the tenant improved his holdings by clearing, draining, building or fertilizing." This writer has a very superficial view of the heart of the land question, but even of the evil he mentions he can find abundant illustration nearer home than Ireland.

J. H. D.

The Public

is a weekly review which prints in concise and plain terms, with lucid explanations and without editorial bias, all the news of the world of historical value. It is also an editorial paper. Though it abstains from mingling editorial opinions with its news accounts, it has opinions of a pronounced character, based upon the principles of radical democracy, which, in the columns reserved for editorial comment, it expresses fully and freely, without favor or prejudice, without fear of consequences, and without hope of discreditable reward. Yet it makes no pretensions to infallibility, either in opinions or in statements of fact; it simply aspires to a deserved reputation for intelligence and honesty in both. Besides its editorial and news features, the paper contains a department of original and selected miscellany, in which appear articles and extracts upon various subjects, verse as well as prose, chosen alike for their literary merit and their wholesome human interest. Familiarity with THE PUBLIC will commend it as a paper that is not only worth reading, but also worth filing.

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