

will do so only by losing the culture, the prosperity, and the contentment of the one corner of her dominions which reaches in these respects a European standard. It remains for the democracies of the West to see to it that she shall lose much more than this. It happens that we have no legal ground for protest, as we had in the much less gross case of Bosnia. But treaty rights have none the less been violated, solemn oaths forgotten, and the public law of Europe flouted. The Government which has done these things has proclaimed itself a Government which does not keep faith. Prudence itself counsels us that the ally who attempts to transact with it risks behavior equally faithless. There were reasons enough before in the internal misgovernment of Russia why we should refrain from any entente cordiale. Those reasons are multiplied tenfold today. In all our dealings, diplomatic, social and financial, with the official classes of Russia, there is now a plain duty to remember, first of all, that on them falls the guilt of libicide in Finland. If there is talk again of an exchange of courtesies with the Douma which has done this thing, or with the Court which prompted it, the politicians or the party which on our side make or welcome the advance will stand branded before public opinion for condoning the grossest wrong in modern history.

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Human Derelicts.

Johnstown (Pa.) Democrat (dem. Dem.), May 14.—Undoubtedly there is a persistent competition for the services of the exceptional man. The world is not worrying over the man who has unusual gifts and capacities. It is the average man of whom we are called upon to think. If the men out of work are the victims of their own incapacity they are really not to be blamed. We do not blame the child because he cannot lift as much as a man or run as fast or do things as well. The great average of mankind is ungifted. It possesses no peculiar talent. It has had no particular advantage or opportunity. But God has created few in his image without the capacity to provide for their reasonable wants under natural conditions. Even the lowest types of the human race are able to produce food and to provide shelter. It is only in our boasted civilization that vast hordes of strong men and women are condemned to hopeless poverty and to a benumbing dependence on others for mere leave to toil. If the census enumerators find 292 people crowded into one house and 350 into another under conditions to which we would not subject a dog it is not because these herded creatures prefer so to live. It is because economic conditions force them to it; it is because poverty grips them so hard that they cannot escape its palsy effects; it is because they are shut out from God's great and generous storehouse and so are denied the chance to supply their wants and to live lives of decency and hope.

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Vision and sight
Are not the same, quite.
You may call her a vision,
Don't call her a sight.

—Kansas City Times.

RELATED THINGS

CONTRIBUTIONS AND REPRINT

SONG.

For The Public.

O keep you safely all the night and bravely thro'
the day
The charm that lights your gentle eyes as charms
none other may.
My thoughts about you build of joy protection naught
shall mar,
And ever hides my song to you the near fear and
the far.

O hold you sweetly in the dusk and gladly in the
dawn
The heart that in your service dear thro' every fear
has gone.
My life were little to account if value less you gave
To courage that for you I claim and songs for you
I save.

GEORGE E. BOWEN.

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POPULAR VERSUS DELEGATED GOVERNMENT.

Portions of a Speech Made by Jonathan Bourne, Jr.,
of Oregon, in the United States Senate on
May 5, 1910.*

Successful and permanent government must rest primarily on recognition of the rights of men and the absolute sovereignty of the people. Upon these principles is built the superstructure of our Republic. Their maintenance and perpetuation measure the life of the Republic. . . .

Much has been said in favor of representative government. I believe in a truly representative government, but where the selection of public servants is left to a political machine or boss, as is frequently the case under our convention system, the tendency is toward misrepresentative, and not a truly representative, form of government, notwithstanding the election is supposedly by the people.

There are doubtless some people who honestly believe that the people as a whole have not reached the stage of development qualifying them individually to participate in government. Others whom I credit with the intelligence which I have seen manifested by them in other directions assert the inability of the people to govern themselves as an excuse rather than a conviction; but from thirty years' experience in practical politics, I am absolutely convinced not only that the people are fully

*See Public of May 20, page 458. See also volume xl, pp. 278, 320, 388.

capable of governing themselves, but that they are decidedly the best judges as to those individuals to whom they shall delegate the truly representative power. . . .

Time was when a few self-constituted leaders in Oregon politics arrogated to themselves the prerogatives of government and made their assumption effective through illicit combinations and the use of money in any and every quarter where necessary to their purposes of control—that is, they commercialized conventions, legislatures, and the administrative branches of the city, county, and State government. It was not a condition peculiar to Oregon. It obtained, and I believe still obtains in a more or less flagrant degree, in every State in the Union. . . .

Revolting against these conditions, the State which I have the honor, in part, to represent, has evolved the best-known system of popular government, and, because of this conviction, I take this opportunity of presenting not only to the senate but to the country a brief analysis of the Oregon laws bearing upon this question, with my own deductions as to the improvement they show and the merits they possess.

Australian Ballot Law.

Oregon in 1891 adopted the Australian ballot, which insures secrecy, prevents intimidation, and reduces the opportunity for bribery. This, of course, is a prerequisite to any form of popular government.

Registration Law.

Supplementing the Australian ballot law, Oregon enacted in 1899 a registration law applying to general elections, and enlarged its scope in 1904 in the law creating a direct primary. . . .

Initiative and Referendum.

Oregon's next step in popular government was the adoption of the initiative and referendum amendment to the constitution, which amendment was adopted in June, 1902, by a vote of 62,024 to 5,668. It provides that legislative authority shall be vested in a legislative assembly, but that the people reserve to themselves the power to propose laws and amendments to the constitution and to enact or reject the same at the polls independent of the legislative assembly, and also reserve power to approve or reject at the polls any act of the legislature. An initiative petition must be signed by 8 per cent of the legal voters, as shown by the vote for supreme judge at the last preceding general election, and filed with the secretary of state not less than four months before the election.

A referendum petition need be signed by only 5 per cent of the voters and filed with the secretary of state within ninety days after final adjournment of the legislature which passed the bill on which the referendum is demanded. The legislature may itself refer to the people any act passed

by it. The veto power of the governor does not extend to any measure referred to the people.

In addition to the publicity incident to the circulation of the petitions, the law provides that the secretary of state shall, at the expense of the State, mail to every registered voter in the State a printed pamphlet containing a true copy of the title and text of each measure to be submitted to the people, and the proponents and opponents of the law have the right to insert in said pamphlet, at the actual cost to themselves of paper and printing only, such arguments as they see fit to make. These pamphlets must be mailed not later than fifty-five days before a general election and twenty days before a special election.

The initiative develops the electorate, placing directly upon them the responsibility for legislation enacted under its provision; the referendum elevates the legislature because of the possibility of its use in case of undesirable legislation. Brains, ideas, and argument, rather than money, intimidation, and log rolling, govern the standards of legislation.

Corporation attorneys must exercise their mental activities along constructive rather than destructive and avoidance lines. Possibility of scandal is minimized, recipients of franchises freed from the imputation of secret purchase, and general community confidence is secured.

Since that amendment was adopted, the people of Oregon have voted upon 23 measures submitted to them under the initiative, 5 submitted under the referendum and 4 referred to the people by the legislature. Nineteen measures were submitted at one election. That the people acted intelligently is evident from the fact that in no instance has there been general dissatisfaction with the result of the vote. The measures submitted presented almost every phase of legislation, and some of them were bills of considerable length.

Results attained under direct legislation in Oregon compare so favorably with the work of a legislative assembly that an effort to repeal the initiative and referendum would be overwhelmingly defeated. No effort has ever been attempted.

It has been asserted that the people will not study a large number of measures, but will vote in the affirmative, regardless of the merits of measures submitted. Experience in Oregon has disproved this, for the results show that the people have exercised discriminating judgment. They have enacted laws and have adopted constitutional amendments in which they believed and have defeated those of which they did not approve. . . .

I do not care to take the time of the Senate to discuss each of the measures that have been acted upon by the people of the State, but in order that those who desire may have the opportunity to observe the wide range the measures have taken and the attitude assumed toward them by the people of Oregon, I ask consent to have published in this

connection a very brief summary of the titles of the measures, together with the vote upon each.

Popular vote upon measures submitted to the people of Oregon under either the initiative or referendum.

| | 1904. | Yes. | No. |
|--|--------|------|--------|
| Direct primary law with direct selection of United States Senator* | 56,205 | | 16,354 |
| Local-option liquor law* | 43,316 | | 40,198 |
| 1906. | | | |
| Omnibus appropriation bill, state institution† | 43,918 | | 26,758 |
| Equal suffrage constitutional amendment* | 36,902 | | 47,075 |
| Local-option bill proposed by liquor people* | 35,297 | | 45,144 |
| Bill for purchase by State of Barlow toll road* | 31,525 | | 44,527 |
| Amendment requiring referendum on any act calling constitutional convention* | 47,661 | | 18,751 |
| Amendment giving cities sole power to amend their charters* | 52,567 | | 19,852 |
| Legislature authorized to fix pay of state printer* | 63,749 | | 9,571 |
| Initiative and referendum to apply to all local, special and municipal laws* | 47,678 | | 16,735 |
| Bill prohibiting free passes on railroads* | 57,281 | | 16,779 |
| Gross-earnings tax on sleeping, refrigerator and oil car companies* | 69,635 | | 6,441 |
| Gross-earnings tax on express, telephone and telegraph companies* | 70,872 | | 6,369 |
| 1908. | | | |
| Amendment increasing pay of legislators from \$120 to \$400 per session‡ | 19,691 | | 68,892 |
| Amendment permitting location of state institutions at places other than the capital‡ | 41,971 | | 40,863 |
| Amendment reorganizing system of courts and increasing supreme judges from three to five‡ | 30,243 | | 50,591 |
| Amendment changing general election from June to November‡ | 65,728 | | 18,590 |
| Bill giving sheriffs control of county prisoners‡ | 60,443 | | 30,033 |
| Railroads required to give public officials free passes‡ | 28,856 | | 59,406 |
| Bill appropriating \$100,000 for armoriest... | 33,507 | | 54,848 |
| Bill increasing fixed appropriation for state university from \$47,500 to \$125,000 annually† | 44,115 | | 40,535 |
| Equal-suffrage amendment* | 36,858 | | 58,670 |
| Fishery bill proposed by fish-wheel operators* | 46,582 | | 40,720 |
| Fishery bill proposed by gill-net operators* | 56,130 | | 30,280 |
| Amendment giving cities control of liquor selling, poolrooms, theaters, etc., subject to local-option law* | 39,442 | | 52,346 |
| Modified form of single-tax amendment* | 32,066 | | 60,871 |
| Recall power on public officials* | 58,381 | | 31,002 |
| Bill instructing legislators to vote for people's choice for United States Senators* | 69,668 | | 21,162 |
| Amendment authorizing proportional-representation law* | 48,868 | | 34,128 |
| Corrupt-practices act governing elections* | 54,042 | | 31,301 |
| Amendment requiring indictment to be by grand jury* | 52,214 | | 28,487 |
| Bill creating Hood River County* | 43,948 | | 26,778 |

Direct Legislation Not Expensive.

Anticipating the objection that direct legislation is expensive to the State, I will say that the sub-

* Submitted under the initiative.
 † Submitted under the referendum upon legislative act.
 ‡ Submitted to the people by the legislature.

mission of a total of 32 measures at three different elections in Oregon has cost the State \$25,000, or an average of about \$781 for each measure. At the election in 1908 there were 19 measures submitted, at a cost to the State of \$12,362, or an average of about \$651 each. Five of these 19 measures were submitted without argument. Upon the other 14 measures there were 19 arguments submitted, for which the authors paid the cost, amounting to \$3,157.

I have no hesitation in saying that the people of Oregon feel satisfied that they have received full value for the \$25,000 they have spent for the submission of measures under the initiative and referendum. The only persons who raise the question of cost are those who would be opposed to direct legislation if it were free of cost. I think I could cite numerous instances of laws passed by the legislature which cost the people much more than \$25,000 without any tangible return, and perhaps could cite a few measures which had been defeated by legislatures with resultant loss to the people of many times \$25,000. The cost of legislation can not always be measured in dollars. . . .

The initiative and referendum is but one of the features of popular government in Oregon. It has been the means by which other reforms and progressive laws and constitutional amendments have been secured, for it has been found that the people can not always get the laws they desire through the legislature, but can get them through resort to the initiative.

Direct Primary Law.

The next step after the adoption of the initiative and referendum was the adoption, in 1904, by a vote of 56,205 to 16,354, of a direct primary law, which is designed to supersede the old and unsatisfactory convention system. . . .

Corrupt Practices Act.

The next step in popular government in Oregon after the adoption of the direct primary law was the adoption of a corrupt practices act, which the legislature had refused to enact, but which the people of the State adopted under the initiative.

The corrupt practices act was adopted under the initiative in 1908 by popular vote of 54,042 to 31,301. It provides that no candidate for office shall expend in his campaign for nomination more than 15 per cent of one year's compensation of the office for which he is a candidate, provided that no candidate shall be restricted to less than \$100.

Publicity Pamphlet.

The act provides, however, for the publication of a pamphlet by the secretary of state for the information of voters, in which pamphlet a candidate in the primary campaign may have published a statement setting forth his qualifications, the principles and policies he advocates and favors, or any other matter he may wish to submit in support of his candidacy. Each candidate must pay

for at least one page, the amount to be paid varying from \$100 for the highest office to \$10 for the minor offices. Every candidate may secure the use of additional pages at \$100 per page, not exceeding three additional pages. Any person may use space in this pamphlet in opposition to any candidate, the matter submitted by him being first served upon the candidate and the space being paid for the same as in the case of candidates. The matter submitted in opposition to candidates must be signed by the author, who is subject to the general laws regarding slander and libel. Information regarding State and congressional candidates is printed in a pamphlet issued by the secretary of state, one copy being mailed to each registered voter in the State. Pamphlets regarding county candidates are issued by the county clerk and mailed to each voter in the county. These pamphlets must be mailed at least eight days before the primary election. The amount of money paid for space in the public pamphlet of information is not considered in determining the amount each candidate has expended in his campaign; that is, he is entitled to expend in his primary campaign 15 per cent of one year's compensation in addition to what he pays for space in the public pamphlet. . . .

The Recall.

The final step in the establishment of popular government in Oregon was the adoption of the recall amendment to the constitution which was adopted in 1908 by a vote of 58,381 to 31,002. Under this amendment any public officer may be recalled by the filing of a petition signed by 25 per cent of the number of electors who voted in his district in the preceding election. The petition must set forth the reasons for the recall, and if the officer does not resign within five days after the petition is filed a special election must be ordered to be held within twenty days to determine whether the people will recall such officer. On the ballot at such election the reasons for demanding the recall of said officer may be set forth in not more than 200 words. His justification of his course in office may be set forth in a like number of words. He retains his office until the results of the special election have been officially declared.

No petition can be circulated against any officer until he has held office six months, except that in the case of a member of the State Legislature it may be filed at any time after five days from the beginning of the first session after his election. At the special election the candidate receiving the highest number of votes is declared elected. The special election is held at public expense, but a second recall petition can not be filed against an officer unless the petitioners first pay the entire expense of the first recall election.

The Best System of Popular Government.

I reiterate that Oregon has evolved the best sys-

tem of popular government that exists in the world today.

The Australian ballot assures the honesty of elections.

The registration law guards the integrity of the privilege of American citizenship—participation in government.

The direct primary absolutely insures popular selection of all candidates and establishes the responsibility of the public servant to the electorate and not to any political boss or special interest.

The initiative and referendum is the keystone of the arch of popular government, for by means of this the people may accomplish such other reforms as they desire. The initiative develops the electorate because it encourages study of principles and policies of government, and affords the originator of new ideas in government an opportunity to secure popular judgment upon his measures if 8 per cent of the voters of his State deem the same worthy of submission to popular vote. The referendum prevents misuse of the power temporarily centralized in the legislature.

The corrupt-practices act is necessary as a complement to the initiative and referendum and the direct primary, for, without the corrupt-practices act, these other features of popular government could be abused. As I have fully explained, the publicity pamphlet provided for by the corrupt-practices act affords all candidates for nomination or election equal means of presenting before the voter their views upon public questions, and protects the honest candidate against the misuse of money in political campaigns. Under the operation of this law popular verdicts will be based upon ideas, not money; argument, not abuse; principles, not boss or machine dictation.

The recall, to my mind, is rather an admonitory or precautionary measure, the existence of which will prevent the necessity for its use. At rare intervals there may be occasion for exercise of the recall against municipal or county officers, but I believe the fact of its existence will prevent need for its use against the higher officials. It is, however, an essential feature of a complete system of popular government.

Absolute Government by the People.

Under the machine and political-boss system the confidence of sincere partisans is often betrayed by recreant leaders in political contests and by public servants who recognize the irresponsible machine instead of the electorate as the source of power to which they are responsible. If the enforcement of the Oregon laws will right these wrongs, then they were conceived in wisdom and born in justice to the people, in justice to the public servant, and in justice to the partisan.

Plainly stated, the aim and purpose of the laws is to destroy the irresponsible political machine and to put all elective offices in the State in direct

touch with the people as the real source of authority; in short, to give direct and full force to the ballot of every individual elector in Oregon and to eliminate dominance of corporate and corrupt influences in the administration of public affairs. The Oregon laws mark the course that must be pursued before the wrongful use of corporate power can be dethroned, the people restored to power, and lasting reform secured. They insure absolute government by the people.

BOOKS

THE OLD WEST AND THE NEW.

Cavanagh: Forest Ranger. By Hamlin Garland. Published by Harper Bros., New York.

That sterling radical and faithful Single Taxer, Hamlin Garland, has found the inspiration for his latest novel in the timely question of the Conservation fight.

In his new book Mr. Garland gives us a first hand glimpse of the intimate side of this battle for the people's right. His hero is one of the forest rangers appointed by Gifford Pinchot to care for the great heritage of our nation in its splendid forests. This new conqueror of the West meets the last defiant stand of the old reckless lawlessness which characterized the vast cattle ranges and sheep grazing grounds of the limitless Western prairies. This picturesque lawlessness has served often enough, too often perhaps for our proper understanding of right and wrong, for the scene of many a story of adventure, stories so fascinating in their sweep of incident that they blind the reader to the fact that in applauding them he is really condoning brutality and crime.

Not the least of many good points in Mr. Garland's latest book is that he shows so clearly how behind all this colorful recklessness, extolled by writers as "the play of strong human passions," there is nothing but the sordid greed of gain and capitalistic intrigue such as we find in our corrupt politics, and in our dealings with our new found "dependencies." As one of the characters in the novel puts it—

The Old West was picturesque and in a way, manly and fine; . . . certain phases of it were heroic. I hate to see it all pass, but some of us begin to realize that it was not all poetry. The plain truth is my companions for over twenty years were lawless ruffians and the cattle business as we practiced it in those days was founded on selfishness and defended at the mouth of the pistol. We were all pensioners on Uncle Sam and fighting to keep the other fellow off from having a share in his bounty. We didn't want settlement, we didn't want law, we didn't want a State. We wanted free range. We were a lot of pirates from beginning to end and we aren't wholly reformed yet.

Mr. Garland shows how the New West, coming

under the sign of the automobile and the telephone, is bringing largely through the Forest Service the ideal of brotherhood and community interests into this scene of selfishness and lawlessness. Ross Cavanagh dreams of a day when "each of these great ranges will be a national forest and each of these canyons will contain its lake, its reservoir."

Very significant are the words of the indignant forester's assistant:

"The President has fired the Chief, the man that's built up this Forestry Service. The whole works is going to hell, that's what it is. We'll have all the coal thieves, water-power thieves, poachers and free grass pirates piling in on us in mobs. They'll eat up the forest. They'll put some Western man in, somebody they can work."

With his greater outlook of an understanding of basic economic truths, and his ideals of a true brotherhood of man, Mr. Garland has seen the importance of this conflict which those of us who live more to the Eastward do not realize in all its urgency. He has given us a picture of it so intense and vivid that the mere human story built around it, pales into insignificance beside the great theme of the novel. The book should be read by all those who have the true good of our country at heart.

GRACE ISABEL COLBRON.

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OLD CHICAGO.

By Gone Days in Chicago. Recollections of the "Garden City" of the Sixties. By Frederick Francis Cook. A. C. McClurg & Co., Chicago.

This book is rambling and largely reminiscent, and therefore naturally vague. But in spite of its defects, it is full of interest to those who would glimpse the past through the eyes of one who saw and was a part of it.

The supplementing of reminiscence by historical incident gleaned from 1835 to 1880 would seem to mar instead of adorning the work, but those who were alive and observant during the stirring period of 1857-1867 will recall with intense interest the bitterness of the contest waged between the "Copperhead" and the "Black Republican" of that period, and will philosophize over the peculiar shift in the position of the parties. Democrats, who in 1856-1860 were emphatically the Union savers, became in 1861-1865, rebels and traitors. Anti-slavery men who during the former period were Union haters and the victims of mob law, later became the only Union savers and treated their former persecutors to liberal doses of their own medicine.

It will interest the young of today to learn that none of the men of the sixties were quite as bad as their enemies painted them; and, alas! that none were quite as good as their friends believed them. It will interest the thinker to learn that George M. Pullman disavowed any sentiment of philanthropy