

but the shores of the estuaries and harbors. The News urged that the case should be appealed, declaring that it would be indeed unbearable if all the holiday pursuits of the public at the seaside should have to be dependent upon the kind permission of some land magnate, and it cited the mountain precedent:

The Access to Mountains bill establishes the principle that for all ordinary purposes of rambling or climbing the tourist is not to be hindered from making the mountains his playground. The same principle should be applied to the seashore, and with even better reason. Some money is spent in the mountains in reference to game preserving. The beach is barren and useless save for purposes of pleasure. The owner who should try to keep the public from it would be the supreme instance of the dog in the manger. But so selfish are some land-owners in England, and to such an extent has the idea of private property in the surface of the earth taken possession of the minds of many of our governing class, that doubtless attempts will be made to keep the public from what should be inalienably their own. Would it be possible to enlarge the Access to Mountains bill, and make it apply also to the seashore? If such a course were possible, without endangering the original measure, it might be well to adopt it.

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Emma Goldman Leaves the Question of Violence Entirely Alone.

Miss Goldman has written Mr. C. E. S. Wood in regard to his report of her visit to Oregon, published as Editorial Correspondence in The Public of June 26th, that she can afford to pass without notice the misrepresentations of the hostile press, but she cannot afford to leave uncorrected the misrepresentations of her friends. She states that in fact she has never said that violence as tactics would be folly, for it only more firmly intrenches the one assailed; or that individual force against individual officials is worse than useless, because she has never argued these questions at all, nor does she look upon them in that light. She writes that she does not propagate violence and never has done so; but not because she is particularly sentimental about life, so much as that she does not believe in inducing any one to act under the influence of any power save his own reason and the dictum of his own soul. And she adds, "Besides, so long as I am not to pay the penalty of the act, I do not feel justified in inducing another person to do it." She also says that neither does she wish to be understood as classing the men who commit violence as unbalanced or insane; that the psychological cause which induces some to act against all consideration of self, while others will only lisp a

mild indignation against the social order, is to her of the greatest interest.

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Tolstoy Indicts the Russian Government.

What one isolated citizen can do to halt the bloody progress of a nation, the aged Tolstoy has done with his terrible denunciation of the hideous reign of terror being maintained by the Russian autocracy. Appearing in the London Daily Chronicle of the 15th, his letter immediately created a profound impression, and was regarded by the labor and socialist groups in England as justifying their protests against the King's recent visit to the Czar (p. 326). The meagre excerpts from the letter which were cabled to America on the day of publication, gave no space to the urgings to land reforms which appear here and there in the letter, and redeem it from hopelessness. In another department of this Public will be found fuller extracts, which are reproduced from what purports to be the full text. That this letter of Tolstoy's will produce immediate results in Russia, few will expect; but as surely as day follows night, the hours of this bestial imperialism, revealed now in all its bloody squalor, are being counted out to their ending.

* * *

DEMOCRACY IN ACTION.

Once more has democracy shown itself capable of self-government. Once more has direct legislation through the initiative and referendum amply fulfilled the predictions of its advocates and refuted the arguments of its opponents.

The election held in Oregon on the first of last June aroused great interest, not only in the State itself, but quite generally throughout the nation. For the sake of having in compact form a summary of the chief events that have occurred in Oregon in connection with direct legislation, the following resumé has been prepared. All the figures are official.

After ten years of effort in favor of the measure, and after a favorable vote for it by two legislatures had been secured, a direct legislation amendment to the Oregon constitution was adopted by the electors of the State on June 3, 1902, by a vote of 62,024 for, and 5,668 against it; being a majority of eleven to one in its favor.

First Enactments Under Direct Legislation in Oregon.

On the 6th of June, 1904, the electors enacted at the polls two laws, one for local option in temperance matters, and one for direct primaries.

This was the first time in the history of our nation that State laws were passed by the electors without the intervention, in any form, of the legislature or other representative body.

Second Enactments.

On the 4th of June, 1906, the electors of Oregon passed upon eleven propositions, ratifying eight, and defeating three.

Among the measures adopted were those enlarging the scope of the initiative and referendum, both in the State and also in towns and cities, subject to the limitations of the State constitution; a law prohibiting free passes on railroads; and a law taxing sleeping car and other public service companies.*

Third Enactments.

On the 1st of June, 1908, there were nineteen propositions to be voted upon; and of these, twelve were enacted and seven were defeated. Four of these propositions had been referred to the people by the legislature; another four of them had been ordered to the referendum by petitions to that effect signed by the people; and eleven had been proposed by initiative petition. Only fifteen of the nineteen propositions were therefore illustrative of the special workings of the initiative and referendum, as the four propositions which were referred to the people by the legislature could have been similarly referred in any other State of the Union, even though such State had no direct legislation amendment.

How the Voters Were Instructed.

A large pamphlet of 126 pages, including its index, was compiled by the Oregon Secretary of State several months before the election, and a copy of the document was mailed to each voter in the State. This pamphlet contained the exact wording of the nineteen propositions, and also in five cases gave concise affirmative and negative arguments in regard to the merits of the measures proposed. These various pro and con arguments were provided by representative committees of citizens, and in themselves furnish very interesting and informing reading. They are really worthy of a separate article, for the educational value of these discussions must have been very great. There were seven other propositions for which only favorable arguments were presented; and there were also two other propositions concerning which only negative arguments were presented, while there were five propositions concerning which no arguments were submitted.

*For fuller details of the vote of 1906 see article entitled "Growth of Democracy in Oregon," in *The Public* of August 4, 1906, page 424.

The largest number of votes (pro and con) cast upon any one proposition was that in regard to equal suffrage; the total being 95,528. And the smallest number of votes cast was 70,726, being in regard to a bill to create a new county out of a part of Wasco county. The total vote for candidates cast at the election was 116,614; so that the greatest number of referendum votes was about 82 per cent of the total number of ballots cast; the 18 per cent representing the indifferent or ignorant, who in all referendum elections disfranchise themselves.

Enacted Propositions.

The vote on the twelve enacted propositions was as follows:

1. An amendment allowing State institutions to be erected and conducted elsewhere than at the seat of government—41,975 for, and 40,868 against it; a favoring majority of 1,107. (Referred by the legislature.)

2. An amendment changing the time of holding the regular general biennial elections from the 1st Monday in June to the 1st Tuesday after the 1st Monday in November—65,728 for, and 18,590 against it; a favoring majority of 47,138. (Referred by the legislature.)

3. An act giving the sheriff the right to feed prisoners at a per diem rate—60,443 for, and 30,033 against it; a favoring majority of 30,410. (Referendum ordered by petition of the people.)

4. An act to increase the annual appropriation for the State University—44,115 for, and 40,535 against it; a favoring majority of 3,580. The smallness of the majority was due to the opposition of many of the farmers. In their negative argument the farmers give fourteen reasons for their opposition, in one of which they say: "We maintain that the American common school is the 'head' of our educational system, rather than the University of Oregon. . . . The University professor is paid \$2,000 per year, and the buildings are provided at State expense; while the school district must tax itself to provide school buildings. The State money available for each pupil in the common school is little more than \$8 per year. In this bill the University asks \$339 a year per student. . . . The University is not poor. Its students are not poor. They recently employed a man to coach their football team, paying him \$1,500 for a little more than two months' instruction, and boasted in the Portland papers that it was the largest salary ever paid in the Northwest to a football coach." (Referendum ordered by petition of the people.)

5. An act protecting salmon and sturgeon

during certain seasons, and from the operation of traps and fish wheels—46,582 for, and 40,720 against it; a favoring majority of 5,862. (Proposed by initiative petition.)

6. An act protecting salmon and sturgeon from excessive use of seines and gill nets, in certain portions of the Columbia river and its tributaries—56,130 for, and 30,280 against it; a favoring majority of 25,850. (Proposed by initiative petition.)

7. An amendment permitting officials to be put upon their election a second time upon specific charges, and after a six months' holding of office; known as "The Recall"—58,381 for, and 31,002 against it; a favoring majority of 27,379. (Proposed by initiative petition.)

8. A law directing legislators to follow the popular choice for United States Senator—69,668 for, and 21,162 against it; a favoring majority of 48,506. (C. E. S. Wood, in an excellent article on the "Oregon Situation" in the Public of July 3, says: "It was understood this law could only have a moral force.") (Proposed by initiative petition.)

9. An amendment authorizing a system under which minorities shall be given Proportional Representation—48,868 for, and 34,128 against it; a favoring majority of 14,740. (Robert Tyson of Toronto, Canada, speaks of this amendment as "providing for the Single Vote in present multiple electoral districts, permitting the enactment of laws for preferential vote in electing Single Officers, and permitting the enactment of Proportional Representation. This great step in advance we owe to the Initiative and Referendum.") (Proposed by initiative petition.)

10. A law against corrupt practices, and limiting expenditures in elections—54,042 for, and 31,301 against it; a favoring majority of 22,741. (Proposed by initiative petition.)

11. A law providing that no person shall be put upon trial save upon indictment by a grand jury, but district attorneys may amend and correct indictments if found to be faulty by the court—52,214 for, and 28,487 against it; a favoring majority of 23,727. (Proposed by initiative petition.)

12. A law creating the new county of Hood River—43,948 for, and 26,778 against it; a favoring majority of 17,170. (Proposed by initiative petition.)

Defeated Propositions.

On the seven defeated propositions the vote stood as follows:

1. The proposition to amend the constitution

so as to allow an increase in the compensation of members of the legislature—19,691 for, and 68,892 against it; an adverse majority of 49,201. (Referred to the voters by the legislature.)

2. To change the constitution so as to increase the number of members of the supreme court—30,243 for, and 50,591 against it; an adverse majority of 20,348. (Referred by the legislature.)

3. An act to compel railroads and other common carriers to furnish free transportation to certain State and county officials—28,856 for, and 59,406 against it; an adverse majority of 30,550. (Referendum ordered by petition of the people.)

4. An act to appropriate \$25,000 annually for four years for State armories—33,507 for, and 54,848 against it; an adverse majority of 21,341. (Referendum ordered by petition of the people.)

5. An amendment to give equal suffrage—36,858 for, and 58,670 against it; an adverse majority of 21,812. The proposition carried in four counties, and lost in 29. (In June, 1906, the vote on equal suffrage was 36,902 for, and 47,075 against it; an adverse majority of 10,173; and the proposition carried in ten counties, and lost in 23.) The vote for the measure was 44 less this year than it was in 1906. (Proposed by initiative petition.)

6. An amendment to the constitution so as to allow towns to regulate the liquor trade within their limits independently of the State laws—39,442 for, and 52,346 against it; an adverse majority of 12,904. (Proposed by initiative petition.)

7. A proposed constitutional amendment in the nature of the Single Tax, exempting certain improvements from taxation—32,066 for, and 60,871 against it; an adverse majority of 28,805. (Proposed by initiative petition.)

JAMES P. CADMAN.

Treasurer Referendum League of Illinois.

EDITORIAL CORRESPONDENCE

HOW VACANT LOT GARDENING CAN BE STARTED.

Buffalo, N. Y., June 27.—Upon a suggestion made by Bolton Hall in February, that vacant lot gardening be undertaken in Buffalo, the writer sent an open letter to the papers, calling the attention of the Charity Organization Society to that method of helping the poor to help themselves. The next day Frederic Almy, secretary of the Charity Organization Society, called upon me, and suggested that some steps be taken to organize a movement to that end, in which he would take part. A meeting of less than a dozen decided to organize the People's Gardens Association. A committee called upon the