

spond to popular instead of corporate inspirations, they may wish to put an end to the pernicious doctrine of vested rights. If they should, they will be able to do it, not by reversing the principles of law, as Chief Justice Fuller is reported to have done, but by following the precedents which such as he and his compeers will meantime have made.

EDITORIAL CORRESPONDENCE

THE OREGON BALLOT THIS YEAR

Portland, Ore., July 21.

Thirty-two measures will be on the Oregon ballot next November.

Six were referred to the voters by the legislature of 1909; one was ordered by referendum petition of the people against an act of the legislature; and twenty-five are proposed by initiative petition of the people.

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Seventeen of the thirty-two measures would not be on the ballot if the legislature of 1909 had really represented the people. So the incompetency or faithlessness of legislators is responsible for a fraction more than 53 per cent of the measures to be voted on.

For example, the voters of the State have before them eight new county or county division schemes, and a bill to refer all such questions to the voters of the territory immediately affected, not one of which should be on the general ballot, nor would be if the legislature had not jockeyed with the county division question. The corporation enemies of direct legislation point to these nine measures as proof that the Initiative and Referendum are a nuisance, but attempt to conceal the fact that the legislature refused to enact a law leaving the matter of creating new counties to the people directly interested.

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Year after year the legislature has played a juggling game with the matter of establishing normal schools, and with employers' liability; so there are three normal school propositions on the ballot, and two opposing bills for liability laws—one initiated by employes and one by employers.

Instead of providing for the enlargement of the asylum for the insane at Salem, the legislature referred to the people a bill to establish a new asylum.

To nullify the proportional representation amendment adopted by the voters two years ago, the legislature has referred to the voters an amendment that will be discussed in another letter.

Finally, to provide a method by which direct legislation may be abolished, the legislature submitted a bill to call a convention to revise and amend the Constitution. This matter also will be discussed in another letter.

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Seven of the measures to be voted on are: An amendment granting suffrage to all taxpayers, re-

gardless of sex; a referendum against an act of the legislature increasing the compensation of the judge of one district; a Prohibition bill and a Prohibition amendment; an amendment giving cities and towns exclusive power to regulate or suppress the liquor traffic; a bill to regulate fishing in the Rogue river; and a good-roads amendment authorizing counties to incur indebtedness in excess of \$5,000 to build roads.

The remaining questions are worthy of separate discussion at another time. They are: Four tax amendments; an amendment authorizing the creation of railroad districts, so that the people may provide transportation facilities for themselves when the railroad "magnates" and "empire builders" refuse to provide them; an initiative bill to extend the provisions of the direct primary law to Presidential nominations, Presidential Electors and delegates to national conventions; an initiative bill to create a board of "People's Inspectors of Government," and to establish an Official Gazette to give information to the people in regard to State, county and municipal government; an amendment making some radical changes in the legislative article of the Constitution; and an amendment revising the judiciary article.

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The people of Oregon are facing the important fact that direct legislation by the Initiative and Referendum enables the people to rule if they use their power, but does not prevent the legislature from making trouble; and behind the trouble makers in the legislature is franchise Big Business, which is now making a mighty effort to break down majority rule in Oregon.

They are facing the fact that real self-government is impossible as long as the people permit private ownership of public utilities. Such private ownership is valuable to the owners because it carries with it the power to tax, which is a function of sovereignty. Any surrender by the people of the taxing power is a surrender of sovereignty, for the taxing power is the most valuable power of a sovereign.

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Enemies of direct legislation make loud complaint that the power of voters to initiate bills and Constitutional amendments imposes a cruel burden upon the people, and that the voters have neither time nor intelligence to distinguish good bills from bad ones.

That looks somewhat plausible when we glance at the thirty-two measures on the Oregon ballot this year.

But there is another side and another view.

Six of the measures to be voted on were referred to the people by the legislature in 1909—about twenty-one months before they are to be voted on. The referendum against an act of the legislature was filed within ninety days after the legislature adjourned, or eighteen months before the election. Four of the measures initiated by petition have been under discussion since last fall, and all the initiated measures were filed by July 7, or four months before they are to be voted on.

All of these measures will be published in a pamphlet by the Secretary of State, with such arguments for and against them as may be offered, and a copy of the pamphlet must be mailed to each registered voter. Nothing is left to the chance of newspaper publicity, and wise provision is thus taken against tainted editorial opinions and deliberate misrepresentations by the corporation press.

It is fair to say, then, that the voters have two and a half months to consider the thirty-two measures on the ballot, or a fraction more than two days for each measure.

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Now let us see how much time the legislature has for "careful and intelligent consideration" of measures. In 1909 the legislature was in session exactly 28 of the 40 days allowed by law. The Senate had 626 bills and other measures to consider, which would give a fraction more than 22 measures to be considered each day; the House had 681 measures, or a fraction more than 26 a day for "careful and intelligent consideration." Having reported ten sessions of State legislatures, I have a fairly definite idea of the energy and mental horse-power of legislators. The legislator who actually works for the public four hours a day during a session is as rare as that "day in June," and almost as rare as a Chinaman with whiskers. But, to be generous, let us say the average is five hours a day. That would give 140 hours for a 28-day session. It would be difficult even for a penniless plute to believe that the most intelligent legislator can give "careful and intelligent consideration" to 626 measures in 140 hours, for that is less than 14 minutes to a measure.

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While the corporation newspapers assert that the people don't know what they are voting on, they carefully refrain from giving their readers any information about measures to be voted on. That is, they accept the money paid by the people to give the news, but don't deliver the goods. Which is a sanctum-onlous way of obtaining money under false pretenses.

W. G. EGGLESTON.

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REPUBLICAN INSURGENCY IN THE MIDDLE WEST.

Sioux City, Iowa, July 23.

Insurgent Republicanism has been making its fight in the middle West, and the results are as satisfactory as the more conservative members in the movement could have hoped for. Primaries and conventions have been held in several middle Western States, and in three of them—Indiana, Iowa and South Dakota—the Insurgents have won clean cut victories by capturing control of the party organization.

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Here is a summary of the results:

In Minnesota, the Standpaters controlled the State convention, though the Insurgents were able

to force the adoption of some of their principles in the platform.

In Iowa, the net result was a decided victory for Insurgency, but the regulars renominated their present Governor and held a hotly contested Congressional seat, where a progressive victory would have been of great moral assistance.

In North Dakota, the result was a drawn battle.

In South Dakota, the Cannon Congressmen were renominated, but the Insurgents controlled the State convention and adopted an extremely progressive platform.

In Nebraska, the Insurgents have failed to perfect anything like a good working organization.

In Kansas and Wisconsin, the supreme test is yet to come.

The Insurgents have lost no ground. They have everywhere held what they already had, and have made some gains.

Here in Iowa, one prominent Standpat Congressman was beaten by a pronounced Progressive. In North Dakota, a Democratic Senator, serving by appointment of the Governor, will be superseded by an Insurgent Republican. These two places constitute the tangible gains which the Progressives have made thus far.

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The primary results this year have shown, however, that Insurgency is not yet at the high tide which its advocates hoped. The national Administration has developed great strength in States where it was thought that the feeling against it was overwhelming. The battle is far from won; though, when the situation is squarely faced, the Insurgents have cause to congratulate themselves on the progress they have made.

Two causes have combined to make the work of the Insurgents difficult. One is the hide-bound regularity of the average Republican. His tenacity in clinging to his party organization is amazing. The old appeals still have power to fire his heart in behalf of the "Grand Old Party." He reads and half believes that his party leaders are in league with greedy and predatory interests; but when the time comes to vote he is inclined to submit to party discipline, to acknowledge the supremacy of the regular organization, and to feel a thrill of pride in supporting the program of harmony and solidarity.

The second reason for the difficulty in uprooting Standpatism is the generally prosperous condition of the middle West. It contains few large cities where sharp contrasts are drawn between the very rich and the very poor. The farmer vote dominates in this great region, and farmers are cautious about disturbing the existing status. Even where the motive of caution does not control, the motive of indifference does, and in large numbers the farmers have absented themselves from the primaries.

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Still there has been a tremendous advance in public sentiment—a great quickening of the public conscience. Civic ideals are higher. A better and more honest standard is being exacted in the public