

"Therefore are my people gone into captivity, because they have no knowledge."

#### THE REFERENDUM IN OHIO.

The Ohio Legislature has now before it a proposed amendment to the Constitution for the Optional Referendum and the Direct Initiative. The advocates of this reform claim that the necessary three-fifths of the members of both houses are pledged to vote for it, and in that event it will certainly be adopted by the people of the State. The discussion by the voters of Ohio of the advantages of the Referendum system has been quite one-sided, for but few newspapers have declared directly against it, though those controlled by the Hanna and Foraker rings are damning it with faint praise, or urging that many obstacles are in the path of its fulfillment.

The independent newspapers of Ohio have given the subject great publicity, and the Cleveland Press, with over 128,000 circulation, has just published an article in large type by Col. Jephth Garrard, under the caption: "The Initiative and Referendum—What It Would Mean to Ohio," which will be of interest to the voters of other States. It is as follows:

"Initiative is the right to propose any measure to be enacted by the General Assembly; and if the same is not enacted by the General Assembly, to have same submitted to a vote of the electors of the State to be enacted or rejected at the polls.

"Referendum is the right to require that any law which the General Assembly may have enacted shall be submitted to a vote of the electors of the State before becoming a law.

"These rights, Initiative and Referendum, to be secured by petitions signed by the electors—the number of electors required to be a definite per cent. of the votes cast at the preceding State election.

"The amendment which is to be urged upon the Ohio legislature follows closely the Oregon amendment, which was adopted in 1902 by a vote of 52,024 to 5,668.

"In Ohio the advocates of this measure have been doing quiet but effective work, and claim that they have already received from the newly elected representatives more than enough pledges to give them a three-fifths majority in each house.

"What this measure is, and what it is expected to do for Ohio, may

best be told by describing the form and the practical effects of the Oregon amendment.

"It is not proposed that all the laws passed by the legislature shall be referred to the people. It is proposed merely that the people shall have the power, to be exercised at their discretion, of bringing to referendum vote any particular act of their representatives.

"This power is guaranteed by the Oregon constitution in this way. It is provided that no act of the legislature, except emergency measures, shall go into effect until 90 days after the adjournment of the legislature.

"If, during these 90 days, petitions are signed by five per cent. of the citizens of the State, demanding a popular vote upon any act or acts of the legislature, and if these petitions are filed with the Secretary of State, the legal effect of the petition is to hold such act or acts in abeyance until the next regular election, when they have to be submitted to a vote of the people.

"If any measure so referred to the people receives the support of the majority, it thereby becomes a law; if it fails of a majority, it is thereby repealed.

"Under the foregoing provision, most, if not all, laws passed by the legislature will go into effect after the expiration of 90 days from their enactment without a popular vote. Referendums will be infrequent.

"The chief aim of the Referendum consists, not in the frequency of its use, but in the fact that it may at any time be invoked. Experience shows this to be true."

GEORGE H. SHIBLEY.

#### THE MATTER OF DRESS.

From the comments of the London Speaker on a correspondence that has been raging in the London Daily News upon the question, "For Whom Do Women Dress?"

There is nothing humiliating in dressing to please yourself, any more than in playing cricket to please yourself. A painter paints, a poet makes verses to please himself. At least, if they do so for any other reason they waste their time. In fact, whatever we do well we do to please ourselves; and our object in life should not be to do everything against the grain, but to take pleasure in things worth doing.

There seems, however, to be a belief among men . . . that it is not worth while to dress well. They have

given up the business as a bad job. They are content to be eyesores, and make a virtue of their ugliness.

Yet men in other ages, and men, too, who did great things, have spent some of their abounding energy upon their clothes. The young Elizabethan conquered worlds and made great verses, arrayed like Solomon in all his glory; and the Spartans combed their long hair at Thermopylae. Are our affairs more important than theirs, or do we manage them better, that we have no time to adorn ourselves? Is it not rather that we are more oppressed by the burden of life than they were, and that we can no longer sustain it with an air? It is a common error for the man of a poor and starved nature to reproach the man of a rich and abounding temperament with frivolity. It is one of the mean consolations of life that pleasure always seems foolish to us when we lack the energy to share it; and that, no doubt, is the reason why men are angry with women who still have enough joy of life to take a pleasure in their clothes. . . .

Dress ought to be an expression of the joy of life, and not of any kind of sense of duty whatsoever. But it is not for the sex which includes bishops and soldiers to reproach women who dress from a sense of duty with the inevitable result. Men are nearly all figures of fun, and if they do not laugh at each other in the street, it is only because they cannot laugh at the same joke a thousand times a day.

#### MAYOR JOHNSON ON THE MUNICIPAL CONTROL OF VICE.

A REPLY BY TOM L. JOHNSON, MAYOR OF CLEVELAND, TO A COMMUNICATION FROM A COMMITTEE OF THE MINISTERS' UNION OF CLEVELAND.

Rev. Wilbur C. Mickey and Associates, Committee of the Ministers' Union of Cleveland, O.

Gentlemen: I regret that my written reply to the representations made to me by you in conference has been so long delayed, but the pressure of other matters has until now prevented me from giving to the subject that deliberate consideration which it requires.

The problem presented is most difficult, but I am satisfied that you and the city administration have a common aim in view. We both most earnestly desire to make Cleveland a good place to live in, to promote the happiness of our people, and to surround them with such freedom from temptation

and such encouragement in right living as will discourage vice and promote morality. Our difference, in so far as any exists, is as to the means most conducive to this common end. In case of such disagreement, if one there shall be, I shall assume that you credit me with good faith; and, so far as I am concerned, let me assure you that any such disagreement is not colored by the slightest doubt as to your sincerity and singleness of purpose.

Accompanying your communication are copies of several laws and ordinances which theoretically provide a complete remedy for the ills of which we complain. From an inspection of these it would seem that the only thing necessary is to arrest and prosecute the law breakers. When, however, the practical effects of such a course are considered, I am satisfied it will be found to be the least effective method that can be pursued, and this opinion is confirmed by actual experience.

There are three courses of policy which may be followed with respect to public dances and wine rooms, disorderly houses, gambling and the liquor traffic. First, official toleration; second, attempted suppression by crusade; and, third, administrative repression.

The first course, we would agree, could not be followed by an administration seeking the end which you and I have in view. It is usually accompanied by blackmail, graft and official corruption, which no possible foresight can prevent, and it cannot be adopted by a decent administration.

The second is the one in most common use. It is the usual method of the "reform waves" which sometimes sweep over cities. When this method fails, as it invariably does, there is apt to arise a demand for more drastic action of the same kind, based upon a belief that the failure is due rather to lack of official sympathy in enforcement than to inherent defects in the method itself. In my judgment this is a mistaken belief.

I doubt if there is a city in the country in which there has not been, at one time or another, a formal crusade against vice; but I equally doubt if a time or place can be named where such a crusade has effected even temporary betterment. The results are rather to scatter the social poison throughout the whole body of the city, and to cause it to hide itself from police knowledge and interference in neighborhoods and communities there-

before unpolluted. Meanwhile it inevitably results in the blocking of the courts. Six years ago our police court dockets were choked and the courts themselves paralyzed by the liquor cases alone. At that time some sort of a crusade was being made. Saloon-keepers were arrested wholesale, many of them arrested many times. The result, however, was that by uniting and securing legal counsel at a very small cost to each defendant, the laws you cite me and which seem so simple and appear to afford such adequate remedy, were found ineffective. Nor does this involve a criticism of the law. The administration of justice is not mechanical, but human, and when the law is made with enough safeguards to protect the rights of the innocent, it of necessity affords technical refuge and delay to the guilty. Every defendant demanded a jury and exhausted every dilatory privilege in its selection, so that at one time there were so many jury cases pending in the police court that trials were continued for six months and longer, only to be recon- tinued, because of the inability of the courts to deal with the multitude of cases; and in the end all of the cases were dismissed. There was no other practical result than a demonstration of the inefficiency of this method of enforcement.

If the same method has been used in many cities besides our own and we can find no city in which an actual and permanent victory has been won, are we not justified in doubting the advisability of going back to it in Cleveland?

The third method, which may be described as administrative repression by direct police intervention, is the one which the present administration has been applying. To its operation and results I direct your attention. The theory is that direct regulation or suppression in individual cases, as the circumstances warrant, is more effective than indiscriminate raiding and arrests. It is necessary, of course, that in the application of this policy there be no favored class or pulls, political or otherwise. I am aware that this policy can be corrupted, though I think it is not so inevitable, nor so easy to avoid detection, as in the first method to which I have referred, and I believe that the efforts of the present administration to apply the policy have been free from that reproach. Let us see how this policy has worked.

To secure the conviction of gamblers has hitherto been a difficult thing, for

the reason that the detection of the men at their game is almost impossible. Yet gambling has been practically wiped out in Cleveland by administrative repression. That is to say, a policeman in uniform, standing at the door of a gambling house, makes the business too unprofitable to be continued; and when this means fails, the breaking down of doors is resorted to, and the unlawful paraphernalia is destroyed instead of its being preserved to be used as evidence of the character of the place in which it was found on the trial in the police court, where legitimate technicalities and delays could drag the matter out indefinitely. This has proved effective; the ordinary crusade never has.

The wine rooms have been abolished by being put under the close surveillance of policemen, who constantly visited the places and so disturbed the patrons and harassed the proprietors by their presence that the unlawful business became unprofitable.

The most dangerous class of saloons, namely, those with the bar in front connected directly with a disorderly house in the rear, has been absolutely stamped out by means of this policy. These are the places where men and boys who may enter with no worse intention than to buy a glass of beer, are subjected to unsought temptations and perils. I believe that this combination saloon has been completely driven out of Cleveland.

You mention specifically in your communication the evils of the public dances as being a menace not alone to virtue and innocence, but also to the lives of young girls. I have felt, and the administration is working on the theory, that a dance hall run in connection with or adjacent to a bar is likely to be dangerous, and I believe that an investigation will satisfy you that by a systematic application of the policy of administrative repression, the number has been greatly reduced. Those which still exist are of far better and less menacing character than the class you describe, and are operating lawfully.

In regard to the liquor laws, our policy has been to repress in cases of flagrant violation; that is, where a place was open at forbidden times and where brawling or disorder was permitted or where men were allowed to drink to intoxication. Beginning with the worst of these, we struck at them by stationing uniformed officers at their doors until their trade was driven away, and the idea was forced upon

their proprietors that it was "better business" to limit their excesses than to try to run in disregard of order and decency. In my judgment also—and if you reflect upon all the facts I think you will agree with me—the result of indiscriminate suppression would be wholly at variance with your sincere purpose and mine. It would result in general resistance and evasion. It would create, what does not now exist, a community of interest and purpose between orderly and disorderly saloon keepers. It would open the way, moreover, for the resumption of business by the indecent and disorderly saloons which are now repressed. These considerations suggest to me the desirability of continuing the present distinction between orderly and disorderly saloons.

I am not defending administrative repression as a general principle of government. But inasmuch as the laws for the suppression of public vice place the responsibility of enforcing them upon the executive, I resort to it as the only practicable method of genuine enforcement.

I do not claim that conditions in Cleveland are ideal, nor that there is not much yet to be done; but I do believe that this policy of repression, operating as it does directly upon the persons guilty of excesses and untrammelled by long drawn out and technical court proceedings and delays, has been successful. My belief in this regard rests upon the fact that Cleveland is freer now from gross forms of vice and law-breaking than at any previous period. And comparison of the conditions in Cleveland with those of any other city of her size, where either the first or second policy to which I have referred is followed, will satisfy you that the results of the policy of this administration are good. If your committee desires to investigate the situation in Cleveland, it will give me great pleasure to delegate a committee to co-operate with you, that you may have every means of information and every opportunity to satisfy yourselves of the correctness of the opinion which I here express. It is the determination of this administration that vice and crime shall not be protected in Cleveland, and equally that there shall be no blackmail, graft or corruption attendant upon official dealings with it.

I might stop here, resting my reply to you upon the superior results of the third course enumerated above. For after all, the thing that you as well

as I are solicitous about is the rational enforcement of the law; and when I have shown that the course which this administration is pursuing produces the best results of any suggested course in enforcing the kind of laws to which you direct my attention, I may be thought to have said all that the occasion requires. I believe, however, that there is a deeper and more fundamental consideration which I ought to urge upon you.

Crime and vice are not the natural consequences of normal human impulses. They are largely if not almost wholly products of environment. Society itself creates the economic condition in which the people live, and the pressure of the means of subsistence upon opportunity is such that men are driven out of their true course as a result of the despair caused by inequality of opportunity and the hopelessness of an unequal struggle. More men drink because they are miserable than are miserable because they drink; and the unfortunates who lead lives of vice do not choose that occupation from natural preference or waywardness of disposition, but are forced to begin and to persist in such lives by the pressure of conditions which make the earning of an honest and adequate livelihood difficult and sometimes impossible. I do not believe that the whole penalty of society's aggregate sin should be visited upon its weakest sinners, nor that wholesale arrests and indiscriminate fines can do more than harden the lives and condition of those who are driven to vice and crime as a desperate resort. That society must protect itself and restrain law-breaking goes without saying; and this administration, by the direct pressure of the police force, and by the arrest and punishment of those who in their wrongdoing pass beyond technical law violation, and foster the growth of worse forms of crime, is attempting to do that thing. I earnestly invite you, however, to join with me in an effort to do the larger thing—to alleviate the hard social conditions which produce the environment out of which this crime and vice grow. To remove causes is better than to deal only with effects. As a temporary measure and until the fight on the causes shall be won, direct repression must be applied to the effects; but we must never regard these measures in the light of remedies, for back of it all lies the source of the evil—Involuntary poverty.

A recent book, by Mr. Frederick C.

Howe, entitled "The City, the Hope of Democracy," contains a fuller statement of the things I have here sought to set down than the proper limits of this letter will permit, and I beg leave to commend it to your consideration as a part of the literature of the problem with which we are dealing.

When I became Mayor of Cleveland, it was with certain very definite aims directed to the accomplishment of this larger good which I have pointed out. I have never lost sight of that as the main thing. Yet the critics of this administration are forced to admit that as an incident to the accomplishment of these larger things, good government even in the ordinary sense of honest and efficient administration has been achieved. By following the policy which I have outlined, the conditions in Cleveland have been vastly improved. We found it a city of unregulated vice and crime, and now gambling has been driven out, the wine room closed, the combination saloon expelled and a far better condition of public order created. But this has been incidental to our efforts for the larger objects we had in view. You urge the administration to concentrate its entire effort upon the smaller things, as they seem to me, and to hazard our whole chance of success in doing something toward the solution of the larger problem upon a fresh experiment in that sort of law enforcement which always hitherto and everywhere else has failed. Would it be either wise or right?

We are both seeking to exterminate crime and vice and misery. These are for the most part but consequences of involuntary poverty, resulting from the existence of law-made privilege whereby some men get more than they earn, while the vast mass of mankind earns more than it gets. It is the existence of this legalized privilege in society which creates the slums of a great city and condemns a large portion of every city population to lives of vice and crime, by depriving them of that equal opportunity in life which nature accords and which our fundamental law theoretically recognizes. This is the central point of the great problem, to which the specific evils to which you refer, vast and degrading though they are, are only as effect to cause. It is easy to enlist the co-operation of good men everywhere in an attack upon lesser and grosser forms of vice and crime, but it is not easy to get the co-operation even of good men in attack-

ing the unrighteous privileges which are the cause of such offenses.

Powerful interests, misleading phrases, and forms of law too often serve to blind us to the real immorality of privilege. But when we shall have thoroughly realized what I believe to be a final truth—that involuntary poverty is the most menacing fact in modern society, and almost the sole cause of vice and crime, and that involuntary poverty itself is but the logical and necessary result of law-made privilege, all good men will unite in attacking it. When privilege has disappeared, the problems which you gentlemen present will in large measure be solved.

It too often happens, when genuine efforts at fundamentally remedying such conditions are made, that the more superficial are emphasized for the purpose of dividing those of us who at such a time should be united. This usually results in frustrating honest effort in both directions. In such emergencies it behooves men with the responsibilities that you and I have to bear, to be upon our guard. I shall not allow myself to be tempted into any of the weak promises that are sometimes made in these circumstances by men in my position, and which enemies of the policy of this administration would welcome. Confident of the integrity of my own purpose, and appreciating as I do the spirit animating you gentlemen in your work, I will not bid for your co-operation by easily-made and glittering but futile promises. I will not be diverted from the solution of these problems of our city life which I think lie at the core of municipal evils.

I trust you will consider these suggestions in the fraternal spirit in which I assure you they are made. And while I will not bid with insincere promise for your co-operation, I most cordially invite it. In your philosophy of life there is the idea of the Fatherhood of God. So there is in mine. In yours, as in mine, therefore, there must also be the idea of the brotherhood of man. I appeal to you, then, to give me your encouragement and support, not only in enforcing as best we can such laws of our statute books as are provided for the maintenance of order and decency in our community, but also in bringing as near to an end as in our power it lies, the unbrotherly legal conditions, which, by giving valuable privileges under the law to some, thereby deny just natural rights to so many others, and consequently make so much

of the poverty and misery from which indecency and disorder proceed. To whom can I look with confidence for sympathy, encouragement and support in the faithful execution of this purpose, if not to the good men of your profession?

Perhaps I should explain before closing that I have had no intention of being dogmatic in enumerating three and only three possible courses for enforcing the laws and ordinances you cite. If, however, there are other alternatives, I shall be glad to be advised of them and to confer with you frankly and cordially with a view to their possible adoption. But as at present advised I am obliged to approve the policy which the administration has pursued, and my hope is that its continued application will steadily produce better results as time goes on.

Meanwhile, I shall lend my effort to improving the environment of our people by the creation of better and healthier places of recreation, by the establishment of better and more socialized public comforts and conveniences, by the more scientific and humane treatment of delinquent classes in our penal institutions, by setting an example of efficient self-government and home rule, and last and most important of all, by promoting the restoration of individual opportunity and hope to the submerged classes of our city, and establishing a condition of equal legal rights, with no legal privileges, to all its inhabitants.

Permit me to remain, with great respect,

Very sincerely yours,  
TOM L. JOHNSON, Mayor.

During a recent cold period in Switzerland thousands of swallows fell exhausted and half frozen. At Lucerne and Zurich the birds were collected and taken care of by the people. When they had sufficiently recovered they were shipped by train to Italy and there set at liberty to continue the migration southward.—N. Y. Tribune.

Our contemporary, the Warsaw Zapadnyjoolos, has been suspended. We have no particular interest in the Zapadnyjoolos, but we want to see whether the linotype man can set up Zapadnyjoolos three times without piecing the type.—Later. He can.—N. Y. Mail.

"There's only one way to get anything nowadays, and that's to work for it," said the first citizen.

"I guess that's right," admitted the grafter, gloomily. "I wouldn't have agreed with you a few days ago, but

times have changed."—Detroit Free Press.

More than a year ago the leading railroad officials declared that they had ceased to grant rebates, which is surely consistent with their present declaration that they are perfectly willing to abolish rebates.—Philadelphia Record.

## BOOKS

### THE HOUSE OF MIRTH.

The House of Mirth. By Edith Wharton. Scribner's. New York. \$1.50.

This novel has been much talked about, and has received more than the perfunctory notice of the critics. One leader in the world of letters has written of it in terms of highest praise, both for its intellectual power and for its artistic qualities. It seems to be generally regarded as the most important work of fiction brought out in America during the year.

That such a book should be so widely heralded and so highly praised seems to me an evidence of the low condition of our imaginative literature. The great books of imaginative literature hold forth some ideal, set to work in us some aspiration, so that we rise from the reading of them to some finer outlook, to some firmer standpoint in the uphill ways of life. There is nothing of this in the present novel. It holds us in the mud from start to finish.

In doing this Mrs. Wharton is but following the literary spirit of the time, which is manifested not only in America, but Europe. A recent critic has called attention to the absence of the ideal in modern literature by making a contrast between Dante and Ibsen. Dante had an awful hell, but he also had a paradise. Ibsen shows us the hell on earth, but he has no paradise anywhere. Modern literature has abolished paradise, and in doing so has also abolished, perhaps unconsciously, the ideals and aspirations of character which, whether necessarily or not—this is another question—have been, up to most recent days, associated with the idea of religion. At any rate, it is easy to see that the modern trend, for the past quarter of a century, has been away from idealism.

The criticism is not that imaginative literature has been realistic, that is, that it has been analytical and true to life. The criticism is that the trend of modern fiction has been materialistic, that is, that it has confined its view too exclusively to conventional shams and meannesses, and to conventional lusts and ambitions. It may be that it has painted these in dark colors, that it has made the mud look dirty. So far, so good; but it has kept us looking at the mud.