in the North, in Georgia or Ohio, in Louisiana or New England, it is the solemn duty of the national authorities to respond to his appeal and to conserve his rights of American citizenship.

Japan's defense of the seizure of an armed Russian vessel in a neutral Chinese port is as a matter of reasoning without a flaw. She urges that China's position in this war is unique. China is a neutral power, yet not wholly neutral. The war is waged on some of her territory, outside of which both combatants have agreed to respect her neutrality. The port in question is outside the belligerent area and therefore to be regarded under ordinary circumstances as neutral. But when Russia's armed ship is forced by the Japanese out of the belligerent area, and takes refuge in the neutral port, that port is in virtue of that fact to be at once included in the area of belligerency. No answer has been made to this contention; and how any logical answer can be made it is difficult to see.

If Japan had driven the Russian land forces from their base in the belligerent area of China, and instead of surrendering they had retreated to the neutral area of China, all armed and ready to return when opportunity offered, could it be reasonably asserted that the Japanese must not follow them into that neutral area? Would not the neutral territory instantly become belligerent territory when the armed Russians retreated into it to escape pursuing Japanese? Surely it cannot be seriously urged that the Japanese should stop at the line of belligerency and helplessly see their routed enemy reorganize and reform over on neutral ground? But if the Japanese army would have the right to follow a fleeing Russian army from the belligerent land area of China, why may not a Japanese warship follow a fleeing Russian warship from the belligerent Chinese port, from which she escapes, into the neutral Chinese port where she seeks refuge? Why does not every Chinese port become, as the Japanese argue, a part of the belligerent area of China the moment the Russians utilize it to escape from their victorious foe?

ANOTHER IMPORTANT REFERENDUM IN ILLINOIS.

For the fourth time a petition is before the voters of Illinois for an advisory referendum under the Foote-Crafts "public policy" law. Three questions are proposed. They relate (1) to direct popular primaries as a substitute for conventions for nominating candidates for office; (2) to popular referendum vetoes of objectionable local legislation; and (3) to the regulation of local taxation. In full, these questions are as follows:

(1) Shall the State legislature amend the primary election law so as to provide for party primaries at which the voter will vote under the Australian ballot directly for the candidate whom he wishes nominated by his party, instead of voting for delegates to convention or caucus; the primaries, throughout the entire district affected by the offices for which nominations are to be made, to be held by all the parties conjointly at the same time and polling places. This law not to prevent the nomination of candidates by petition as now provided.

(2) Shall the State legislature pass a law enabling the voters of any county, city, village or township, by majority vote, to veto any undesirable action of their respective law-making bodies (except emergency measures) whenever five per cent. of the voters petition to have such action referred to popular vote. This law to apply only to such localities as may adopt the same.

(3) Shall the State legislature submit to the voters of the State of Illinois at the next following State election an amendment to the State constitution, which will enable the voters of any county, city, village or township of the State of Illinois to adopt such system of assessing and levying taxes as the voters of any such county, city, village or township may determine.

The fact is now pretty generally known that the "public policy" law of Illinois provides for popular voting on any question of State or local policy. The law is unique. Its author, Mr. Allen Ripley Foote, and its sponsor in the legislature which enacted it four years ago, the Hon. Clayton E. Crafts, probably had no higher expectations regarding it than that it might occasionally serve as a wholesome admonition to the State legislature and to city councils of the trend of public sentiment; while the majority of the legislators who voted for its enactment doubtless believed that in consequence of their amendment requiring an enormous petition to give it effect, it would be a dead letter on the statute books. But it is not a dead letter; and that it is more binding than its author and its sponsor expected is probable. Two Chicago petitions and one State petition have been voted upon and with good effect; and competent lawyers in increasing numbers are coming over to the opinion that popular verdicts rendered under this law are not merely suggestions, but are legally mandatory, with somewhat of the force of a constitutional provision. Their view of the mandatory character of the law will probably be presented to the courts at an early day. Should the city council of Chicago attempt to pass a compromise franchise ordinance (p. 305) in the face of the "public policy" vote of last Spring against all franchises and in favor of police-power licenses pending the final adjustment of legal complications, legal proceedings on the basis of the "public policy" law will doubtless be instituted.

The first vote under this law was taken in Chicago at the Spring election of 1902, with reference only to local questions, and with this result (vol. iv, p. 821):

(1) Ownership by the city of Chicago of all street railroads within the corporate limits was demanded by a vote of 124,594 to 25,987—a majority of 98,607.

(2) Ownership by the city of Chicago of the gas and electric lighting plants (the same to furnish all heat and power for public and private use) was demanded by a vote of 124,190 to 19,447—a majority of 104,743.

(3) Nominations of all candidates for city offices by direct vote of the voters at primary elections to be held for the purpose was demanded by 125,682 to 15,861—a majority of 109,221.

At the Fall elections of the same year, the second experiment under the "public policy" law was made, the result being that the voters

of the entire State, those of them who did not decide to disfranchise themselves for indifference to the subject or lack of intelligence regarding it, demanded (vol. v, pp. 373, 486):

(1) By a vote of 381,866 to 80,882 (a majority of 300,984), that the legislature adopt the initiative and the referendum for local purposes in the several political divisions of the State—counties, cities, towns, villages, etc.

(2) By a vote of 418,418 to 84,946 (a majority of 333,472), that the legislature provide for a constitutional amendment adopting the initiative and the referendum for State purposes.

(3) By a vote of 440,414 to 74,563 (a majority of 365,851), that the legislature take the necessary steps for bringing about an amendment to the Federal Constitution requiring the election of United States Senators by direct vote of the people.

With that contempt for popular opinion which has become dangerously common in some quarters under the plutocratic influences that now abound, these emphatic expressions of the popular will have, with a single exception, been ignored by the managers of the party in power in the State. That exception goes far, however, to prove the wholesome dread of popular opinion which influences politicians even in these days of plutocratic ascendancy. Though they thought they could afford to ignore all the other questions, they knew that the traction question in Chicago was a burning question, and this they dared not ignore. Some of them were defiant, but enough to make a majority were discreet. So the Mueller bill, authorizing municipal ownership of the street car lines of Chicago, was enacted as the immediate result of the affirmative majority of 98,607 in favor of it under the public policy law.

But the spirit of contempt for popular opinion was not altogether absent, and the Mueller law was secretly loaded with plutocratic ammunition. That this had been done with premeditation by professed advocates of municipal ownership who were in reality either honestly distrustful of it or corruptly friendly to the piratical traction interests, became apparent when they tried with might and main to make it appear that the vote for municipal ownership at the Spring election of 1902 did not mean municipal ownership immediately, but municipal ownership some time or other. There was not over much candor in that contention, but its verbal plausibility could not be denied. Consequently the people were appealed to for a more definite expression of their intentions. They were asked to say under the "public policy" law whether the city council should proceed to establish municipal ownership without delay. And to remove alleged obstacles, they were asked also to express themselves on the question of resorting to police-power licenses for traction operation until the alleged obstacles to municipal ownership could be removed. To those two questions one on another subject was added. So the third trial of the "public policy" law (vol. vi, p. 705), resting on a petition of over 100,000 signatures, the validity of which had been unsuccessfully fought step by step by the traction and other interests, came on at the Spring election in Chicago in April, 1904. Following was the result (vol. vii, p. 7):

(1) By a vote of 120,744 to 50,893 (a majority of 69,851), it was demanded that the city council of Chicago proceed without delay to acquire ownership of the street railways.

(2) By a vote of 120,181 to 48,056 (a majority of 72,125), it was demanded that the city council, instead of granting any further franchises, proceed under the city's police powers and other existing laws to license the street railway companies until municipal ownership can be secured, and compel them to give satisfactory service.

(3) By a vote of 115,553 to 58,432 (a majority of 57,121), it was demanded that the Chicago board of education be elected by the people.

These results were secured in the face of the opposition of every Chicago newspaper, except Hearst's. The Record-Herald and the News, which are now supporting Mayor Harrison in his policy of ignoring that vote on the traction question (p. 305), were as active as they were unsuccessful in opposing the traction propositions on that referendum.

Such is the history down to the present time of the voting in Illinois under her "public policy" referendum. The fourth vote will be taken at the approaching Fall elections, provided signatures to the requisite number are secured by September 6. This will be the vote on the three questions set forth in full at the beginning of this article—the questions of primary nomination, popular veto, and local taxation. Less than 25,000 signatures are now lacking.

The petition is put forth by the Referendum League of Illinois, the same body which secured the three petitions already voted on. Blank petitions may be obtained of its officers—Emil W. Ritter, president; Jas. P. Cadman, treasurer; P. C. McArdle, financial secretary; and Dr. Maurice F. Doty, secretary, No. 52 Dearborn street, Chicago.

As the signing of the petition does not bind the signer to vote affirmatively on all, or even any, of the questions, but simply enables the thoughtful voters of the State to express themselves, no good citizen, whatever his own opinion as to the merits of the questions, need hesitate to sign.

It is much more important that the people thoughtfully vote upon questions of public policy than that they vote right. Right voting comes from thoughtful voting. And it is only on direct questions of public policy that the people can vote with thoughtful discrimination. A vote for representatives merely, is too much involved in the complexities of personal admiration or dislike, personal or party loyalty, personal character, and so on, to admit of a truly discriminating vote even by the most thoughtful citizen. If he discriminates well as to persons, he may stultify himself as to public policy; if he votes for a representative with reference to public policy, he runs the risk of voting for a treacherous candidate. But when he votes on the question of public policy itself, there is no confusion and no treachery. Knowing the policy he prefers, the voter may distinctly declare himself; and when he has done that, his representative must obey without equivocation or be exposed to his condemnation at the next primary or the next election.

The three questions now placed before the people of Illinois by the Referendum League are highly meritorious, and the petition ought to receive signatures in abundance, simply on the merits of the questions.

First: Consider the proposition

to nominate the candidates of all parties at primaries and no longer at conventions. Every man who believes in his party, as distinguished from "the machine," should favor this innovation. It is not an untried experiment, and cannot, therefore, be objected to as impracticable. Its purpose and effect is to allow the members of every political party to govern their own party if they wish to, by themselves selecting its candidates. Under the present convention system, it is not the members of a party, nor the leaders of a party, but its "bosses," that control nominations. Their corruption need not be dwelt upon. It is notorious and needs to be suppressed. And that can be done with a primary election law such as this referendum petition calls for. Under such a law there would be no Hopkinses nor Harrisons, no Lorimers nor Jameson's, no gas combines nor traction companies, to force the people of Illinois into confirming some corporation bargain with the Democratic machine, as the only alternative of confirming some corporation bargain with the Republican machine. Under a system of direct nominations candidates would have to go to the people of their party for support, instead of going, as they do now, to party "bosses" who are also corporation agents.

Second: We have next the proposition to empower the voters of any locality to veto objectionable legislation by their respective local legislatures, such as city councils. It is proposed to allow this upon a petition of 5 per cent. of the voters. Such a provision in the law would secure the people against corruption by their legislative agents. Nor would it be necessary to use it often. The fact that it could be used would operate to make the representatives honest in action even if corrupt in motive. One might infer this without reference to examples. If the members of a city council, for instance, knew that their ordinances were subject to popular veto, it is reasonable to infer that they would be careful to assure themselves of its good character before risking a specific popular condemnation. But the matter is not left to inference. Such a veto of State legislation is reserved to the people of South Dakota in their constitution, and there has never yet been a resort to it. Not once have the people of South Dakota exercised their veto right. Yet more than one piece of vicious legislation which the party "bosses" of South Dakota had bargained to give, has been killed in the legislature by the mere threat of an appeal to the people of the State for their veto. Were this power given to the people of the counties, townships and cities of Illinois, we should have a refreshing era of good municipal government all over the State—and that without being very often, if at all, obliged to resort to the health-giving popular veto.

Third: The third proposition is intended to enable the voters of any locality in the State to adopt their own system of assessing and levying taxes. This would simply be an application of the principle of home rule to the point of greatest power. The power to tax is the power to rule. Whoever regulates your local system of taxation regulates your local government. Home rule in any respect is impossible where outsiders control so powerful a leverage as your system of taxation. There can be home rule in any respect only where the local taxing system is under the control of the home people. Under the proposition put forth by the Referendum League, any locality in Illinois might follow the example of those fifty or more localities of New Zealand (p 308), some of them cities, some villages and some farming sections, which have abolished taxes on personal property and improvements, and look to land values alone as the basis of taxation. If any Illinois localities did that under the power of home rule here sought, they would neither help nor hurt anybody but themselves. Should they prove it to be as desirable as it has proved in New Zealand after nearly fifteen years' experience, other localities would have the benefit of the example; should it prove injurious, the others could avoid the example, and it could be abandoned where it had been tried and failed. If, on the other hand, the people of any locality should wish to discourage improvements by taxing them heavily, to drive away capital or keep it away by taxing it whenever it showed its head, to encourage land monopoly by making taxation rest lightly on valuable land held out of use, or to indulge in any other fiscal vagary, they would be at liberty to do so, but only at home and if they were in the majority there. The vital point about it is that none of these fiscal policies could be forced upon any community where people were opposed to it. At present the people of Illinois who wish to burden improvement and active capital with heavy taxes are allowed to force their obstructive theories on every locality in the State, no matter how much opposed to that bad policy the local people may be. But under the proposition of the Referendum League, no locality could have its prosperity blighted by destructive fiscal schemes forced upon it by outsiders.

No more meritorious questions of public policy could be offered to an intelligent community than these three for which signatures are now solicited.

Should they be carried, a very complete public policy will have been declared by the people of Illinois. They will in that event have demanded, besides an amendment to the Federal Constitution requiring the election of United States Senators by direct popular vote, that—

(1) The Illinois constitution shall be amended so as to establish the initiative and the referendum for State purposes.

(2) The Illinois legislature shall establish the initiative and the referendum for local purposes.

(3) The Illinois legislature shall establish the right of popular veto in localities to objectionable legislation by the respective local bodies.

(4) The Illinois legislature shall provide for direct primary nominations of party candidates in place of convention nominations.

(5) The Illinois constitution shall be so amended as to enable the voters of localities to adopt their own systems of assessing and levying taxes.

These alterations in State policy would speedily make of Illinois an example in clean politics and business prosperity to every other State in the Union.

EDITORIAL CORRESPONDENCE.

NEW YORK.

New York, Aug. 22.—The political outlook in the East presents a different view from that of the West. While the