

And it *disfranchises ignorant and indifferent voters*. Nearly half the voters of Ohio went into the disfranchised class last week. But instead of being disfranchised by some superior power arbitrarily, they *disfranchised themselves*. Not by any schoolmaster-schoolmastery test was this done, but on the basis of their ignorance of or their indifference to the particular subject at issue. It is of the nature of direct legislation, of the Initiative and Referendum, that it secures government of all and for all by those who are fit; those who are fit by the only test of fitness,—their own individual judgment upon their own intelligence and interest with reference to the common affairs upon which opportunity to vote is afforded them.



Bigelow's Victory in Ohio.

Credit for the victory for Direct Legislation in Ohio at the special election last week must be distributed widely. Part of it lies upon the tomb of Dr. Tuckerman, the revered father of radicalism in Cleveland. Part of it goes to the memory of Tom L. Johnson, who placed Cleveland as "a city on a hill." It must be shared with those men of the Western Reserve of Ohio who worked with Tuckerman in the obscurity of the early days, and with Johnson when stones were sharp in their path and the brambles thick. At the lower end of the State there was different work to do and others to do it, among whom Daniel Kiefer will not be forgotten by those who know of his patient and persistent service. And out through the State—in Columbus, in Dayton, in Brand Whitlock's city of Toledo, and back to Cleveland with its splendid corps of democratic Democrats now under Mayor Baker's leadership in every town and every city of the State and out upon the farms—there are men and women without whose public-spirited help this mechanism of People's Power could not yet have come to Ohio. Nor can the tremendously effective work of the Scripps league of newspapers in Ohio be ignored. But there is nothing invidious in naming Herbert S. Bigelow as the one man of Ohio upon whom credit for the triumph especially concentrates.



Since the days when he and Tom L. Johnson campaigned Ohio to make democratic sentiment while plutocracy was still in the ascendant, Mr. Bigelow has made this work his own, placing it ahead of everything else. Not that he considered the Initiative and Referendum the most important

public measure, but that he considered it the *first*. Nor was his work confined to the field. Except for the skillful service he rendered in the Constitutional Convention, and his good judgment there, it is a fair inference that the Initiative and Referendum would not in any effective form have reached the people for their approval at the election last week. As a citizen of Ohio, as a member of the Constitutional Convention, as president of the Convention, the credit for placing an effective Initiative and Referendum in the Ohio Constitution justly goes to Herbert S. Bigelow. And this is the most vital of all Constitutional measures. Without it, public sentiment is a plaything of spoilsmen; with it, public sentiment may govern.



Foote's Defeat in Ohio.

In the adoption of the Initiative and Referendum by the voters of Ohio, Allen Ripley Foote* encounters the most decisive defeat which this wily lobbyist for the Interests has sustained since he went from Illinois into Ohio to play their game against Tom L. Johnson. Under cover of the Ohio State Board of Commerce, organized by himself for the benefit of undisclosed principals, he did all that was possible to baffle Bigelow's work for the Initiative and Referendum. With generalship less skillful than Bigelow's was, Foote might not improbably have killed or shackled in the Convention every Amendment of public value that could have been carried at the election. But the Initiative and Referendum was his principal object of attack. He saw, as Bigelow did, that this is the point of tactical advantage. Both of them realized that without the Initiative and Referendum, legislation is a matter of lobbying. For that reason Bigelow wanted the Initiative and Referendum and agitated for it; for the same reason, Allen Ripley Foote didn't want the Initiative and Referendum and schemed against it. His slick lobbying methods nearly won in the Convention, but before the voters last week they were battered to a pulp.



Few more useful servants with reference to legislation have the Interests ever had, than this same Allen Ripley Foote, whose usefulness to them in Ohio was crippled if not killed by the popular vote of last week; and not the least of his advantages in that vocation has been his skill in securing the apparent co-operation now and

*See Publics, July 28, 1911, page 772, August 11, page 821, November 24, page 1186; January 19, 1912, page 49.