an enemy to democracy, who must be driven from party councils if the party is to be democratic; and he was unwilling that McLean should remain in doubt upon that point for a single instant. After all this, the politicians wonder what Johnson does want.

Yet what he wants he makes no pretense of hesitation about asking for. He wants the state convention to adopt such a platform on taxation as was adopted at the Cuyahoga convention. It appears in another column. And he wants it to nominate a candidate for United States senator, so that nobody can buy the seat by corrupting an unpledged legislature. Johnson's political policy is simple. He conceals nothing. Like expert whist players, he regards the advantages of having your friends understand your play as more than offsetting the disadvantages of disclosing it also to your enemies. The only way for friend or enemy to understand Tom L. Johnson is to take him at his word.

An attempt to establish woman suffrage in California through the courts, has been defeated by the decision of Judge Sloss, of San Francisco. He holds that the courts have no authority to make law; that it is their function to construe the law as they find it. This is good doctrine. The pity is that judges do not more consistently conform to it. Judge Sloss accordingly decided that women have no legal right to vote in California. We assume that he is right in that also. As a legal proposition, the suffrage in California doubtless is unjustly limited. In every respect, Judge Sloss's opinion appears to be supported by sound reasoning, except at one point, which, however, was not material to the case. This is where he goes out of his way to say that if the suffrage were placed upon the basis of natural right, the argument that places it there, if carried to its legitimate conclusion—

would result in the franchise being extended to idiots and insane persons as well as to individuals of sound mind, to infants in arms as well as to men and women of mature years, to criminals as well as to law-abiding citizens.

With all due respect for the California judiciary in general, and Judge Sloss in particular, that is "bosh." It might pass as argument in some magazine studies, but it is unworthy of a trained lawyer. By the same kind of reasoning one might prove that no one has a right to ride a bicycle, because babies and idiots cannot and convicts are not allowed to. Or by reversing the direction of this reasoning, it might be shown that it would be right, or at any rate not wrong, to take the suffrage away from everybody in California.

Two Iowa lawyers have been proceeded against by the supreme court of that state for contempt of court. An important case had been decided against them by this tribunal, under circumstances which indicated that the court had given scant attention to vital points which they had raised. For this reason they filed a petition for rehearing, in which they charged the court with a habit of discriminating against obscure attorneys in favor of those that are distinguished. The petition begins:

With a full realization, from long experience, of the futility of efforts to correct judicial wrong on rehearing, we file this petition because of a sense of duty to make every effort to exonerate our clients from an obviously unrighteous judgment.

Declaring then that "cases should be classified according to their judicial importance, as affecting the rights of the masses, and not with reference to the distinguished ability of counsel," the petition charges that the rights of their clients were disposed of "in a perfunctory manner, without reading the argument." Doubtless this manner of addressing the court warrants the proceedings for contempt which the supreme court judges have instituted. But a question still remains. When lawyers thus deliberately place themselves in contempt of a court, may it not be that the court has deserved to be held in contempt? It is almost unthinkable that any set of judges should be subjected to the indignity of such criticism, if they had taken pains to make themselves worthy of the respect and confidence of the whole bar. It may be that these two refractory lawyers deserve punishment. It may be that this is necessary, not only to check them, but to make a wholesome example and maintain the dignity of the court. But it is difficult to avoid the conviction that less sensitiveness about judicial dignity, and stronger assurances of judicial fidelity, would serve better than anything else to rebuke contemptuous lawyers and to maintain true judicial dignity. In this particular case, for example, the disrespectful tone of the obnoxious petition is of far less importance than the charges upon which it brings the judges to judgment. The community can get along fairly well, even if somebody does once in awhile make faces at judges; it cannot survive an indolent and unfaithful judiciary.

In a recent report the New York chamber of commerce expresses regret over the failure of the Elsberg local option and apportionment tax plan (see vol. iii., pp. 342, 629, 692) in the New York legislature at its session this year. The plan, as to its apportionment feature, would reduce boards of equalization to clerical bodies, leaving them no discretion. That is accomplished by making the local tax of each locality for one year the basis of the proportion of county and state taxation of that locality for the next year. As to its local option feature, the plan would allow each locality to levy its taxes upon such class of property — personalty, landed improvements, land, or all three—as the people of the locality might prefer. This measure was unanimously approved by the New York chamber of commerce in January last, and in the excellent report of May 2, now before us, which bears the signatures of George F. Seward, Charles S. Fairchild, Alexander E. Orr, John Harsen