

Mr. Roosevelt would say, if his spirit moved him to say anything, we are "using it scientifically and descriptively and because no other terms express the facts with the necessary precision." The acts with which those indicted men are charged, are but subtle forms of theft—not so very subtle either, except in the ingenuity of their secrecy. Let there be no misapprehension as to the turpitude of the acts with which Armour, Morris, Swift, Tilden, *et al.* are charged. They are entitled to a fair trial, and to the benefit of every reasonable doubt; but if convicted, they will not be victims of a mere arbitrary statute. Irrespective of the mild penalties of this statute, irrespective of the indifference with which they and others of their marauding class may regard their conviction, their conviction will be of offenses against the just property rights of other persons as truly as is the pickpocket's, the burglar's or the counterfeiter's. Though the statute regarding their offenses be mild in its penalties, though they be legally amenable only to that statute, yet if they are guilty as charged, the essence of their offense is within those terms of the Ten Commandments which read: "Thou shalt not steal."



Death of Colonel Paddock.

George L. Paddock, one of the oldest lawyers of Chicago and in the front rank of practitioners in his prime, who died on the 10th at the age of 78, was a man whose death calls for more than passing mention. He was one of those fundamental democrats to whom political parties are instruments and not fetishes. A Union officer in the Civil War though of Georgian birth, he was afterwards an anti-imperialist and always a free trader—and all because he was a democrat with the intelligence as well as the courage of his convictions. He found party loyalty and good citizenship irreconcilable, and chose good citizenship. A better citizen Chicago never had than Colonel Paddock, and with all the rest he was a lovable man.



CONSTITUTIONALITY OF DIRECT LEGISLATION.

Kansas might go farther and fare better by finding a substitute for one Judge Knowlton on the Supreme Court bench of the State. For judges to decide judicial questions in advance through newspaper statements, cannot be very good judicial form, and that is what Judge Knowlton appears to have done. A news despatch of the 25th from Topeka tells the story: "William Allen White's plan

to put through the next legislature an initiative and referendum clause has elicited an opinion from Judge Knowlton of the Kansas Supreme Court. Justice Knowlton says that 'under our form of government to call in the people to vote directly upon a law is, in my opinion, as much an attempt to delegate legislative power as the submission of such a question to any other tribunal.'

If that isn't bad form it is pretty bad constitutional law. That a popular referendum under a constitution which vests all legislative power in representatives would be an unconstitutional delegation of power, is true; but that such a referendum provided for in the constitution itself, which is the warrant of the people themselves for every governmental power possible in a republican form of government, would be invalid, is legal and judicial nonsense. It is besides nonsense of the plain garden variety.

But there are vague hints afloat, from White House to Wall street and back again, of a concerted purpose to kill off the initiative and referendum in every State, by having the United States Supreme Court, soon to be reconstituted in its personnel, decide that the initiative and referendum are invalid under the Federal Constitution. The clause of that instrument which the Interests rely on, the particular case being the Constitution of Oregon, now before the court at Washington, is the clause requiring State governments to be "republican in form." The Interests are trying to torture this phrase into "representative in form."

It is plain, of course, that a republican form of government may be either representative, or democratic, or partly one and partly the other. It is also plain that the circumstances under which the Federal Constitution was adopted, require that clause to be so interpreted as to contrast republican forms with monarchical forms. It would be a comical performance for the Supreme Court to hold that a people laying the foundations of a people's government—"We the people," was their opening phrase in ordaining the Constitution—would have used the word "republican," which at that time meant what "democratic" does now, in such manner as to forbid advances in republicanism and improvement in republican forms.

But there are vacancies on the Supreme Court bench, and how President Taft will fill them with reference to this question is fairly well foreshadowed. But will that Court invite its own destruction?

That every State must have governmental agencies, is probably undisputed, since it is only so that a State can hold national or international

relations; but that the "republican form of government" would divest the people of their right to instruct their agents by Initiative, to veto their action by Referendum, or to dismiss them by Recall, is a plutocratic "pipe dream."

EDITORIAL CORRESPONDENCE

SECOND INTERNATIONAL SINGLE TAX CONFERENCE.

Antwerp, Belgium.

Those delegates to the Antwerp International Free Trade Congress who favor the taxation of land values, held a meeting at the Grand Hotel, Antwerp, on Thursday afternoon, August 11th, for the purpose of considering the attitude of land-value tax-ationists to the general purpose of the Congress, and the steps that might be properly taken to impress upon the Congress the vital importance of land value taxation to the life of the free-trade movement.*

Forty-two persons were present, including seven ladies, and C. H. Smithson, of Halifax, England, was elected chairman.

Joseph Fels explained the object of the Conference. He stated that it was the second international conference on land value taxation in history, the first having been held in Paris in 1889, when Henry George was present. Proceeding, he said that the world is at the beginning of a great historical movement; that we need have no fear of the result in England; and that there can be no free-trade without the single-tax. He urged vigorously that the Conference agree to demand that the Free Trade Congress permit at least a half hour's discussion of the only single-tax paper presented to the Congress, viz., that of Frederick Verinder on "The Taxation of Land Values in Its Relation to Free Trade." It was evident, he thought, that the Congress not only intended to suppress attempts at such discussion, but also to prevent Mr. Verinder from publicly explaining his paper. If such permission should not be granted, Mr. Fels thought that the Single Tax delegates should leave the Free Trade Congress in a body.

J. C. Durant of England and Louis Rosenthal of Antwerp urged that these demands upon the Congress be made with moderation, whereupon Mr. Fels explained that he had spoken emphatically for the purpose of provoking discussion, and that maybe the Conference would find his "bark worse than his bite."

The author of the paper, Mr. Verinder, who is general secretary of the English League for the Taxation of Land Values, discussed the land-value tax with reference to its effect in different countries, and expressed the opinion that the future relations of Single Taxers with the Free Trade Congress ought not to be jeopardized for the sake of a mere half-hour's discussion at this time. Continental Europe is not yet ripe for the single tax, he thought; and its advocates should not break the heads of those they want to convert.

*See last week's Public, page 845.

On motion, it was unanimously decided to appoint Joseph Fels, Louis Rosenthal and John Paul a committee to visit President Strauss of the Free Trade Congress and make the best arrangements possible for having Mr. Verinder's paper read and discussed.

Then Mr. Paul proposed a resolution explaining the single-tax principle and policy and referring to the well proved fact that Cobden before he died realized its great importance.

Johan Hansson of Filipstad (Sweden) and Olstykke (Denmark) spoke for Sweden and Denmark.

George N. Barnes, M. P., Parliamentary leader of the British Labor parties, told of the improved condition of workingmen in Scotland since the tenant laws were abolished. He said that as a Socialist he thought all social values should be taken for public use, which meant to him more than the taxation of land-values; but so far as the single-tax went, he was thoroughly in accord with its advocates. J. M. Robertson, M. P., spoke along similar lines.

George Darien of Paris spoke long and earnestly on behalf of France. He said, among other things, that the history of the French Revolution has never been properly written, the Physiocrats and their work not having been understood by historians. The French, he said, are overburdened with a multitude of heavy taxes. He thought such an emotional people could be reached by plays and graphic methods better than by appeals to reason.

Stephen Collins, M. P., England, desired that the meeting should understand that while he was a free-trader and favored the taxation of land-values, he could not endorse the full single-tax.

Byron W. Holt, New York, spoke optimistically of the outlook in the United States, especially in Oregon and other States where the initiative and referendum are in force.

Mrs. Fels and Mrs. David McLardy (the latter representing the Scottish League) spoke briefly and in harmony with the object of the Conference, Mrs. McLardy emphasizing the importance of having the wives and daughters of Single Taxers join the single tax movement.

Mr. Paul's resolution was then unanimously adopted as follows:

Resolution Passed at a Meeting of Advocates of Land Value Taxation, attending the Free Trade Congress: "This meeting declares its unflinching adherence to the principle of free trade, meaning thereby the complete freedom of trade from all taxes and restrictions, whether imposed for protective or for revenue purposes; further, that the true principle of free trade must be carried out to its fullest extent, both as affects agriculture and manufactures, by the removal not only of protective taxes, but also of all existing obstacles to the unrestricted employment of industry and capital; and further declares that the only just and expedient method of effecting this policy and of destroying the protective system is by the exemption of all improvements and all the processes of industry from rates and taxes, and the substitution for them of the direct taxation of the value of all land, a value which is due entirely to the presence, growth, industry, and expenditure of the community."

Following are the signers of the resolution:

Reinhold Ockel and Louis Rosenthal (Antwerp), Belgium; Sophus Berthelson (Höng), Y. L. Bjoerner (Copenhagen), and Johan Hansson (Olstykke), Denmark; Mr. and Mrs. George Darien (Paris), France; G. S. Büsche