

I. and R. people want, it will make corporation money scarce about the State House at future sessions of the General Assembly, by putting an almost if not an altogether insurmountable handicap on the fine art of stealing by law.

The defenders of predatory privileges capitulated only after exhausting all their resources. From the previous Thursday, delegates had in turn taken revenge upon each other with speeches, some worse than Job's affliction of boils. A few, however, stand out in the memory of those privileged to hear the sessions, particularly the speeches of Fackler of Cuyahoga, Bowdle of Hamilton, Stilwell (Labor delegate from Cleveland), and the concluding address by Herbert S. Bigelow, President of the Convention.

The opposition play had been to fight the I. and R. with the story that it is a Singletax scheme, insidious in approach, far-reaching in evil results, and promoted by a millionaire soap manufacturer of Philadelphia and a millionaire newspaper man of California, all looking to robbing the farmer of his home.

The State Board of Commerce\* had for months been spreading terror of Singletax in the rural districts. This having been done in advance and kept up, an inhibition clause was put in to prevent use of the I. and R. by the people to adopt the Singletax on land values; and with the virus of false statement working in the veins of farmer delegates, the fifteen Labor delegates were impressed with the thought that to get confirmation of the I. and R. at the polls the farmer must be protected against the possibility of a land value tax in future.

The final gun of the Opposition was spiked near the end of Mr. Bigelow's speech, when he told the Convention that the friends of the I. and R. were not going to oppose the Singletax inhibition in the I. and R. Proposal. That announcement had about the same effect on leaders of the Opposition as a kick in the stomach. It knocked their breath out, and before they had time to get it back, Judge Peck of Cincinnati demanded "the previous question." They tried to get away from the effect of the sentiment made by Mr. Bigelow's speech by shooting in a flock of amendments, which were one by one either put on the table or voted down. The play to take a recess till morning was made a little too early in the game, and before adjournment for the day the I. and R. Proposal had been adopted.

G. C.



## LAND VALUE TAXES IN CANADA.

Calgary, Canada, March 29th.

Singletax advocates in Calgary have won a substantial legal victory. Last December the City Council, sitting as a board of revision, set aside the increased assessment fixed by the City Assessor on certain lands inside the city limits, on the ground that the Council had made an agreement with the owners that they should not be assessed at more than \$50 an acre until subdivided into building lots. Two of the city papers, and of course the Singletax League, protested. The result was that a mass meeting appointed a committee which engaged a solicitor and, raising a fund by public subscription, made an appeal to the court. The City Council, in

\*Allen Ripley Foote's organization.

order to maintain their consistent disregard of the public's rights, instructed their solicitor to defend against this public-spirited action of the citizens' committee! But Mr. Justice Carpenter set aside the decision of the court of revision (the City Council) on the 28th, and in consequence the Singletax gospel is heard here with added interest and respect.

H. JACOBS.



## MAYOR HANNA'S VICTORY.

Des Moines, March 30.

The common people of Des Moines won a decisive and sweeping victory for economy, good government and municipal ownership last week in the city election. They were opposed by the public service corporations, "Big Business" and three of our city dailies.

A specially bitter fight was made on Mayor Hanna by the local "Grocers' Trust" because he had secured a Market House for the people in spite of the opposition of McVicar, who has been secretly fighting it for years.

Both Hanna and Roe were venomously opposed by the Street Car Co. because of their action during the strike last summer in preventing the thugs who were imported as strike-breakers from carrying concealed weapons. Enforcing the law against strike-breakers the same as against other people spoiled the plans of the company and saved our city from one of those bloody affairs which have disgraced so many American cities.

McVicar, who won his place several years ago by opposing the public service corporations and favoring public ownership, has gradually swung around to exactly the opposite stand, and for that reason was overwhelmingly defeated; being next to last on the ticket in spite of the persistent and desperate efforts of three of our city dailies to save him.

Mayor Hanna led the ticket with over 10,000 votes; more than twice as many as his competitor. Ex-Police Judge F. T. Van Liew stood next with over 9,000; Mr. Roe next with some 8,500; W. A. Needham, the Labor candidate, next with about 8,300, and Ex-Postmaster Myerly last with about 7,500.

H. G. GUE.

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## NEWS NARRATIVE

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The figures in brackets at the ends of paragraphs refer to volumes and pages of The Public for earlier information on the same subject.

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Week ending Tuesday, April 2, 1912.

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### Direct Legislation in Ohio.

By a vote of 97 to 15—only 7 members absent or not voting—the Constitutional Convention of Ohio adopted on the 28th a proposed amendment to the present Constitution of that State, which, upon approval by vote of the people, will supersede Section 1 of Article II of that document. [See current volume, page 300.]

The proposed amendment provides for the following Direct Legislation system:

The legislative power of the State is vested in a General Assembly consisting of a Senate and House of Representatives, but the people reserve to themselves the power to propose laws and amendments to the Constitution, and to adopt or reject the same at the polls independent of the General Assembly; and also reserve the power, at their own option, to adopt or reject any law, section of any law, or any item appropriating money in any law passed by the General Assembly.

To amend the Constitution by Initiative, a petition signed by 12 per cent of the vote cast for Governor at the next preceding election (not less than 6 per cent each from half the counties of the State), sends the amendment directly and without legislative intervention to the people at the next general election held not less than 90 days after the filing of the petition. If signed by 8 per cent of that vote (not less than 4 per cent each from half the counties of the State), the amendment goes first to the legislature, which must either reject or without alteration approve the amendment within four months after receiving it. Whether the legislature approves, or rejects, or fails to do either within four months, the amendment goes to the people at the next regular election. If adopted by a majority of the people voting thereon, any amendment so submitted, whether directly on a 12 per cent petition, or indirectly through the legislature on an 8 per cent petition, the proposed amendment amends the Constitution accordingly.

To legislate by Initiative, subject to the limitations of the Constitution, a petition signed by 4 per cent of the vote cast for Governor at the next preceding election (not less than 2 per cent each from half the counties of the State), and filed ten days prior to any session of the legislature, must be rejected or approved without alteration by the legislature within four months after it is received. If the legislature rejects the proposed legislation, or fails to act decisively within four months, the proposed legislation goes to the people at the next regular election; and if adopted by a majority of the voters voting thereon, any legislation initiated indirectly through the legislature [there is no provision for direct submission of legislation as there is of a Constitutional amendment] becomes legally effective without approval by the Governor, provided it be Constitutional. If, however, the legislature approves, then the proposed legislation becomes legally effective if approved by the Governor, and if Constitutional, provided it be not opposed on Referendum, which applies on the same terms as to any other act of the legislature.

If the legislature refuses to approve initiated legislation or initiated amendments to the Constitution without alteration, it is at liberty to adopt competing provisions (legislative or Constitutional as the case may be) on the same subject; and in such event both the proposed and the competing law, or both the proposed and the competing Constitutional amendment, must be submitted for approval or rejection at the next regular election. In these circumstances, the voter is to vote on four questions as follows: "Either measure," "Neither measure,"

"For Initiative measure," "For Legislative measure," and if the majority of the votes cast on the first issue is for "neither measure," both measures fail of adoption; if a majority of the votes cast on the first issue is in favor of "either measure," then the measure receiving a majority of the votes cast on the second issue is the law or the amendment to the Constitution as the case may be.

No law passed by the legislature, unless expressly excepted by this Amendment, goes into effect until 90 days after being filed by the Governor; and if within that time a 6 per cent Referendum petition is filed on such law, section of such law, or any item appropriating money in such law, the question goes to popular vote at the next regular election subsequent to 60 days after the filing of such petition. And no such law, item or section, goes into effect until and unless approved by a majority of those voting upon the same, although the remainder of the law is not thereby defeated or delayed.

The excepted measures are defined as "acts providing for tax levies, appropriations for the current expenses of the State government and State institutions, and emergency measures necessary for the immediate preservation of the public peace, health or safety, if such emergency measures upon a ye and nay vote shall receive the vote of two-thirds of all the members elected to each branch of the General Assembly." All these measures shall go into immediate effect and be free from Referendum; but the facts constituting such necessity must be set forth in one section of the act, which section must be passed only upon a ye and nay vote upon a separate roll call thereon.

Signatures to petitions are to be presumed to be sufficient "unless not later than 40 days before election it shall be otherwise proven, and in such event 10 additional days shall be allowed for the filing of additional signatures to such petition; and no law or amendment to the Constitution submitted to the electors by Initiative petition and receiving an affirmative majority of the votes cast thereon shall ever be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same shall have been procured, nor shall the rejection of any law submitted by Referendum petition be held invalid for such insufficiency."

Provisions for publicity prior to Initiative and Referendum elections require that "a true copy of all laws or proposed laws or proposed amendments to the Constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law, section or item, submitted to the electors by Referendum petition may be named in such petition, and the persons who prepare the arguments or explanations, or both, for any proposed law or proposed amendment to the Constitution may be named in the petition proposing the same. The person or persons who prepare the argument or explanation, or both, for the law, section or item, submitted to the electors by Referendum petition, or for any competing law or competing amendment to the Constitution, or against any law submitted by Initiative

petition, shall be named by the General Assembly, if in session, and if not in session then by the Governor. The Secretary of State shall have printed the law or proposed law or proposed amendment to the Constitution, together with the arguments and explanations, not exceeding a total of 300 words for each of the same, and also the arguments and explanations, not exceeding a total of 300 words against each of the same, and shall mail or otherwise dis-

tutional amendment that the powers of Initiative and Referendum thereby created shall not be used "to enact a law authorizing any classification of property for the purpose of levying different rates of taxation thereon or of authorizing any single tax on land or land values or land sites at a higher rate or by a different rule than is or may be applied to improvements thereon or to personal property."

But this clause may be amended or repealed by Initiative on the terms required for amending any other part of the Constitution. An attempt to prevent future amendments striking out the clause inhibiting Singletax legislation was defeated in the Convention by 69 to 42.

Before the almost unanimous adoption of the foregoing by the Constitutional Convention, several days were spent in debate, the Opposition concentrating all their strength upon the Singletax. They argued that the Initiative and Referendum were intended to open the way for burdening Ohio farmers with taxation; and the fear of this, which had been fostered by the "Ohio State Board of Commerce"\* placed the Initiative and Referendum in jeopardy. These tactics were effectively met by Herbert S. Bigelow, president of the Convention, who, as reported by an unfriendly paper, the Cincinnati Enquirer, of the 28th, is "regarded as the apostle of Singletax," and who "openly sacrificed his claims for that principle, in order, as he said, to silence the batteries of the enemies of the Initiative and Referendum." According to the Enquirer, the organization (Ohio State Board of Commerce) "which has been fighting for over a decade for a Constitutional amendment permitting the classification of property for taxation purposes, met with the same bitter portion of defeat, for in the same clause was placed an inhibition against classification."

Mr. Bigelow's service has elicited the highest commendation from the progressive elements of Ohio. The Scripps league newspapers, which have faithfully and vigorously fought for Direct Legislation throughout, declare that the people of Ohio owe him "a big debt of gratitude," and urgently advise the Democrats at their coming State convention to nominate him for Governor. Even the Cincinnati Enquirer, a hostile paper, was compelled to credit him with the victory. Describing the day's session when this victory was won, the Enquirer of the 28th said:

Two remarkable speeches were made during the day. The first by Woods, of Medina, was a scaring, blistering attack upon President Bigelow, in which some cruelly cutting things were said and sensational charges made. The other was delivered by President Bigelow, and was an eloquent plea,

\*Allen Ripley Foote's organization. See The Public, vol. xlv, pp. 772, 821, 1186; current volume, page 49.



Herbert S. Bigelow, President Ohio Constitutional Convention.

tribute a copy of such law or proposed law or proposed amendment to the Constitution together with such arguments and explanations for and against the same, to each of the electors of the State as far as reasonably possible.

The provisions of this Constitutional amendment are to be self-executing except as therein otherwise provided. Legislation may be enacted to facilitate their operation, but in no way to limit or restrict either such provisions or the powers reserved.

Provision is made for the Initiative and Referendum in "each municipality on all questions which such municipalities may now or hereafter be authorized by law to control by legislative action, such powers to be exercised in the manner now or hereafter provided by law."

It is expressly provided by the proposed Consti-

rich in imagery and overflowing with sentiment, for the cause of the common people. Pilloried for two weeks by the able and fearless Opposition and his very seat threatened, the President surprised his hearers by taking the moderate side. Direct blows were leveled only at Woods and Halfhill, of Lima, and behind them was none of the softness and sweetness of the principal address. The State Board of Commerce came in for its share of denunciation, which was as direct as language could make it. . . . When Bigelow finished his address he was greeted by applause that made the old hall shake, and he reascended the rostrum with the gratifying knowledge that his effort had resolved all doubt and had carried the day for the compromise.

The scene that followed caused the galleries to burst forth into cheers as the delegates who favored the Initiative and Referendum gave vent to their feelings in most demonstrative fashion. . . . President Bigelow was given the floor and the time limit was taken off. . . . On the matter of the Singletax he asserted that he did not impugn the motives of the delegates who had made that a slogan, but he did challenge those of the State Board of Commerce whose game these men had been unconsciously playing. The I. and R. men in the ten-year fight had been silencing gun after gun in the battery of that organization, the biggest piece being silenced when the United States Supreme Court approved the Oregon law's constitutionality. All that was left was the funny little gun of Singletax to provide wadding for which the paid lobbyists of the State Board had been laboring so hard. "You'll not use that little gun to confuse the issue and defeat the will of the people," said Bigelow. "We are going to take the Singletax inhibition and put it into the proposal." . . . Pointing to a mass of postal cards, telegrams, letters and even railway timetables, designed to cast obloquy upon himself and the Convention, he said that he would not deign to read them, though he had been urged to do so. Then addressing himself to a remark of Halfhill's fearing the "Huns and the Vandals," who would be let loose by the I. and R., Bigelow impressively declared that these were not the gold-crushed inmates of the slums of his city, but those who were gorged with gold. "Their pockets are crammed with the plunder of the people, and their gold drips with the tears of bondmen," he said amid great cheering. These were the Huns and the Vandals to be feared. The speaker said that it was pitiful to sit for two weeks and hear railings and defenses of the homes and the farms, "as if we were so dishonest as to do anything to prevent a man on the farm or in the factory from earning an honest living." Pitiful, too, was it to hear these arguments about money and property, and no word of love for or mercy to the poor. Replying to Major Cunningham, of Harrison, who had quoted the condemnation of the Savior as an object of popular rule, he asserted that the Cadiz man was unfortunate in comparing the American electorate to an Oriental mob. Nor was the illustration correct. Reading from the Bible the President showed that the mob had been raised by the high priests, the scribes and the elders, "the representatives of that day," and that care was taken not to choose a feast "lest there should be an uproar among the people." A plea that was couched in

beautiful language was made to adopt the I. and R. for the sake of delivering legislators from temptation followed, the speaker describing the succumbing of a poor man in a franchise fight to the lure of gold. It seemed to him that rather than hound these men into the penitentiary, and disgrace their families, it was a finer justice to save them from being tempted and from falling. In his peroration he asserted that the I. and R. would make the State a great school of statesmanship, holding that the safety of all republics lay in the education of the people, a thing that would automatically flow from this principle and develop the greatest citizenship the world has ever known.

After he had ceased and the compromise had been offered . . . Pierce of Butler essayed to strike out the inhibition against the Singletax and classification and failed, 74 to 37. Halfhill then offered his amendment to prevent the I. and R. from ever being used to change the Constitution on these subjects. Anderson, of Mahoning, defended the compromise and insisted that as drawn the State would have to vote as a unit upon Singletax before a law could be passed, and even then the law could be forced to a Referendum. "That means that we'll never have Singletax," he said. Halfhill's amendment was lost, 69 to 42. Then Thomas, of Cleveland, speaking for the labor group, offered his 5 per cent amendment, and he was defeated, 63 to 24. Judge Peck demanded the previous question, which carried. The compromise was then adopted, 91 to 21, and then the amended proposal was put through, 97 to 15.

The convention adjourned amid the cheers of the victors, who surrounded President Bigelow and congratulated him on his address. His opponents, though attributing the result to the concessions and his abandonment of the Singletax clause, joined their compliments to what was undoubtedly the best speech of the convention. It was the third time that his eloquence had won for him.



#### Presidential Preference Primary Laws.

Pursuant to the call by Governor Deneen, the legislature of Illinois met in special session on the 26th. The Senate had a quorum on the first day and passed several preferential primary bills to second reading. The House had got a quorum on the 27th, whereupon the Senate passed one of the bills before it by 37 to 1, and on the 30th the House passed it by 110 to 0. It was signed later on the 30th by Governor Deneen. This bill amends the Direct Primary law, which provides for an advisory vote on United States Senator, by including an advisory vote for nominations for President. Generally petitions for President must be filed not less than 30 days before the April primary and be signed by not less than 3,000 nor more than 5,000 primary voters; but for 1912, petitions may be filed not less than six days prior to the April 9th primary, and be signed by not less than 1,500 primary voters. The vote in the State at large is to be considered as advisory to the national delegates and alternates at large, and the vote in each Congressional district as advisory