

professional duty? Whatever the reason, results are not with the American practice, for Great Britain is confessedly superior in the inflexibility of her administration of retributive justice.

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### Homicidal Policemen.

In putting the blame upon the superintendent of police of Chicago for criminal shooting by policemen of inoffensive citizens, the Inter Ocean is quite right. But to place unqualified culpability at the door of the present superintendent is hardly so. It was his immediate predecessor who ordered policemen to "shoot to kill" regardless of real necessity for it—the same superintendent who himself killed a boy he might have controlled with the grasp of one hand. Yet the present superintendent assumes responsibility if he does not revoke his predecessor's murderous order, and especially after the warnings he has had. Twice have men been wantonly shot by Chicago policemen in citizen's clothes because they did not obey the shooter's command to stop, a command that might, for all they could have known to the contrary, have been the command of a highwayman. It is doubtful if any circumstances short of absolute necessity in self-defense can justify the shooting of a citizen by policemen, and this the policemen of all our cities should be given clearly and officially to understand. The policeman who, unassailed with extraordinary and immediately dangerous force, cannot perform his duties without killing men, is unfit, either physically or intellectually, for his place.

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### Beef Trust and School Board—a Ligament.

Judge Landis's decision in the contempt proceedings against Mr. Urion—general counsel for the Armour end of the beef trust and consequently president of the school board of Chicago—will hardly bear any other interpretation than the Scotch verdict of "not proven," with the wild-and-woolly-west addendum of "Don't do it again!"

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Said the Judge: "I am of the opinion that the grand jurors were not at all irrational or unreasonable in concluding that such a thing could not happen without the lawyer's advice or direction." The "thing" referred to was the burning of stenographic note books in which beef trust stenographers had recorded matter, under dictation from "higher up," which the grand jury wished to read and which the trust preferred they shouldn't read. The grand jury sent for the books. But by a curious piece of good luck—for the beef

trust—the books had been burned "in regular course"; and by a further bit of good luck—for the trust—the burning had been done only the day before the grand jury asked for the books, or else the day after, and the witnesses (minor employes of the trust) were unable to remember which, notwithstanding that they were asked only a few days after the burning.

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Something quite as remarkable was the fact that when those witnesses were first subpoenaed by the grand jury, which was incontestably before the burning of the books, they obeyed the subpoena without saying a word to any superior about it, although the rules of the house required all employes to inform the general counsel of legal matters coming to their attention. Since their summons was to testify in a criminal investigation of the trust by the grand jury, and as Mr. Urion was the general counsel referred to in that important rule of the house, and it does not appear that any of the witnesses were disciplined for neglecting so important a rule, Judge Landis seems to have been rational enough in thinking the grand jury reasonable in suspecting that the books could not have been burned without Mr. Urion's advice or direction. Of course nobody believed the witnesses who said they couldn't remember the day on which the books were burned; but as there was no affirmative testimony, Judge Landis was compelled—though with evident and righteous reluctance, to dismiss the contempt proceedings as to Mr. Urion.

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### Direct Legislation Campaign in New Mexico.

John Z. White (vol. vi, p. 530) is making a non-partisan speaking tour of the Territory of New Mexico in behalf of the Initiative and Referendum as a provision in the Constitution of that incoming State (pp. 585, 728). Members of the Constitutional convention are to be elected on the 6th of September, and the influence of the local supporters of President Taft is being used against the Initiative and Referendum proposal. Mr. White's list of appointments includes Raton, Las Vegas, Santa Fe, Albuquerque, Tucumcari, Clovis, Roswell, Carlsbad, Artesia, Vaughn, Carrizozo, Alamogordo, Deming, Silver City and Las Cruces. Of his arrival for this work in the old Territory and embryo State, the Albuquerque Tribune-Citizen of August 17 said of Mr. White, who was already well known throughout New Mexico, that—

New Mexico, from one end of the Territory to the other, is to be honored by the appearance in public

platform addresses and debates of perhaps the greatest living exponent of Direct Legislation through the Initiative and Referendum in this country today. Arrangements have been made through the co-operative direct legislation leagues of the country to have Mr. White come personally to New Mexico for three weeks for the purpose of aiding in the effort to secure the Initiative and Referendum in the Constitution of the new State. Mr. White has already arrived in Raton and he will appear successively in Las Vegas, Santa Fe and Albuquerque, speaking on "The Initiative and Referendum" in this city Thursday night of this week. The interest in this subject and the prominence of the speaker insure him one of the largest houses ever gathered in this city. From here he will go southeast, covering every important town in New Mexico. . . . Mr. White is a debater of national reputation and he will meet any opponents of the Initiative and Referendum who may desire to discuss the issue.

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### Judge Gilbert's Candidacy.

The candidacy of so distinguished a jurist as Hiram T. Gilbert for nomination as Democratic candidate for the lower house of the Illinois legislature from the Fifth Senatorial district (embracing all of the Sixth ward of Chicago south of Forty-third street and all of the Seventh ward except the part south of Sixty-third street and east of Cottage Grove avenue), is inspired, as will be at once inferred, by larger considerations than desire for office. Such official service he can give only at a sacrifice. His primary purpose is the furtherance of legislation for improving judicial conditions, particularly in Cook county; but he is also interested in securing Constitutional amendments establishing home rule for this Chicago county without prejudicing the interests of the rest of the State. The plan he favors in this matter would make no law applicable to the entire State unless—

It shall have received either a majority of the votes of the Senators and Representatives from Cook County, as well as a majority of the votes of the Senators and Representatives from the outside territory, or the approval of a majority of the voters of Cook County and of a majority of the electors of the outside territory.

And it would require that—

special legislation for Cook County be adopted whenever the same is demanded by a majority of her Senators and Representatives and approved by a majority of her voters; . . . a like privilege of special legislation, under like conditions, to be accorded the people of that portion of the State outside of Cook County.

Judge Gilbert's views on taxation are in harmony with his attitude toward home rule in general, and in all other respects he is the kind of citizen we

could well wish to see active no less in legislative than in judicial service.

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### Public School Politics.

Two candidates for superintendent of the public schools of Cook County (excluding the Chicago schools but including Chicago voters) are men we gladly commend, one of them to democratic Democrats and the other to democratic Republicans.

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For the Democratic nomination, the candidate we allude to is G. Charles Griffiths, a long time principal of one of the Chicago schools. For the Republican nomination we allude to Archibald O. Coddington. Both are competent educational executives, and both have democratic ideals in education. The election of either would be in the line of democratic progress; the election of one or the other is greatly to be desired, and to that end it is important that each be nominated by his own party at the primaries.

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### Samuel Gompers on Republican Insurgency.

Samuel Gompers, of the American Federation of Labor, has taken another courageous step which should stand to his credit, along with that of himself and his associates in the Presidential campaign (vol. xi, pp. 82, 133, 418, 492, 578, 586, 781, 819) of 1908. In speaking in Wisconsin a few days ago he took an unequivocal position in support of the great political fight—we should call it a splendid fight, if that adjective were not belittling to devotion so profound and tenacious—that Senator La Follette is making in Wisconsin.

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Let no one suppose that a man in Mr. Gompers' position can do such things lightly. It would evidently be easier for him to follow the even tenor of his way as a straight out trade unionist, leaving politics alone. This was the right course when his career as leader of the Federation began. It is no longer the right course, because politics, plutocratic politics, won't let trade unionism alone. But changing circumstances are not quickly realized by all, and he who does realize them risks his reputation when he tells it to the rest. Easier, then, though it would evidently be for Mr. Gompers and such as he to continue silent and inactive politically, he is not insensible to his duty in that regard, and for this he should have the loyal support of those who agree with him and the respect of those who do not.