

the 5th, the direct primary law of this State (vol. viii., pp. 91, 609, 805), was nullified as unconstitutional. The litigation in which the question arose had been instituted by the Socialist party, which was deprived by the law of its primary-voting rights under the law which this law assumed to repeal. In its opinion the court declares:

The right to choose candidates for public offices whose names will be placed upon the official ballot is as valuable as the right to vote for them after they are chosen, and is of precisely the same nature. . . . It is manifest that if there is anything in this law which is legislative in its nature and proper subject for the exercise of legislative power, it is the question whether a majority or plurality shall be necessary to an election. A law which would provide for an election to public office and make no provision in that respect, except where the constitution has already made provision, would be incomplete as a law. The constitution provides for the election of various officers and that a plurality shall elect, but where the constitution does not apply, it is a legislative question, and it would be a delegation of legislative power to provide that any other authority should decide that question. This act provides that the county central committee of each political party should determine whether the county officers should be nominated at the primary election by the voters, or by delegates chosen at such election, and also whether candidates should be nominated by a majority or plurality vote. If the committee decides that a majority should be necessary, that is to be the law; but if they decide that a plurality elect, the candidate is to be chosen by a plurality vote. The provision amounts to a delegation of legislative authority to county central committees to determine what the substantial features of the law should be, and it is therefore void.

After considering several more technical defects, the court proceeds:

Other provisions of the act require a cash payment from persons desiring to become candidates for certain offices. . . . These payments bear no relation to the services rendered in filing the papers or the expenses of the election. They are purely arbitrary exactions of money to be paid into the public treasuries as a monetary consideration for being permitted to be a candidate. The payments are not intended as compensation for services rendered in filing the papers, but the provisions make the ability and inclination of a person to pay money a test of his qualification and of the right of the voters to choose him for public office. Every eligible person has a right to be a candidate for public office without being subject to arbitrary or unreasonable burdens. The voters have a right to choose any eligible person, and he owes a duty to the public to qualify and serve. Reasonable regulations, such as a petition from a proper percentage of voters which would show that they want the privilege of voting for him, or other reasonable conditions or restrictions may be imposed. If there were not such conditions the ballot might be so large as to be impracticable, but there can be no discrimination between candidates based upon the ground that one has money to pay for the privilege of being a candidate and chooses to pay and another has not the means or is unwilling to buy the privilege.

On the point of special legislation, the court says:

The act is divided into two broad divisions, one of which is to be enforced only in Cook County, and the other applies only to the rest of the state outside of Cook County. . . . It is perfectly clear that there is no special difference between a county that has a population of 125,000 or over and those of less population which calls for or could justify the different provisions of the act. This act differs from acts in which counties have been classified according to population, but which rest on substantial differences in situation and needs on account of population. No reason is or can be suggested for excluding the nominations of candidates for judges of the Circuit Court in the other counties and including the judges of Circuit and Superior courts in Cook County. . . . We are also of the opinion that it violates the provision of the constitution that elections should be free and equal, in permitting voters in the State at large outside of

Cook County to vote at primary elections by stating their party affiliations, while a voter in Cook County is denied that right if he has voted at the primary election of another party within two years, and also in providing a different basis on which a party in Cook County may avail itself of the privileges of the act from requirements of other parts of the state.

The decision in favor of the Socialist party is definitely as follows:

The time fixed by the committee or party for holding a primary has passed while the case has been under consideration and an election to which it might have been applied has been held, but voters do not lose any right that can be secured to them in the future, by failure or refusal of the defendants to act. Neither will any right be lost by the expiration of the time named in any previous act for holding the primary on account of the failure of any committee or authority to call or give notice of any primary under such previous act. We will, therefore, fix upon Saturday, April 21, 1906, in accordance with the prayer of the petition, for holding a primary of the party represented by the relator for nominations for any election to which it may properly apply. The writ of mandamus is therefore awarded in accordance with the prayer of the petition.

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Gov. Deneen immediately called a special session of the legislature for the purpose, principally, of enacting a primary law; and upon its meeting on the 10th he submitted a message on the subject, in which he said:

The duty of the legislature is plain. The solemn pledges given to the people in a matter touching the fundamental condition of republican government should be redeemed. This will not have been done until there has been placed upon the statute books a law which, while complying with constitutional requirements, will secure the substantial relief sought. The people have demanded the substance instead of the semblance of participation in the nomination of candidates. Their demand can be answered only by the enactment of laws which will restore to the people control of the entrances to public life. It is your duty to see that this is accomplished, so that the voters shall have the power not merely of electing but of selecting their candidates. The problem before you, therefore, is how to achieve a government of the people and for the people through agents and agencies selected by the people. Believing that there is an overwhelming sentiment of the voters in favor of this reform, I confidently expect the General Assembly in this extraordinary session speedily to enact a measure in conformity to their wishes.

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Labor Organizations in Congressional Politics.

Pursuing the policy indicated by their formal address to the President and Congress (vol. viii., p. 872), the American Federation of Labor has sent to all its affiliated unions a copy of the address, along with a circular letter addressed to "all trades unionists in America" and in which the Federation declares:

We will stand by our friends and administer a stinging rebuke to men or parties who are either indifferent, negligent or hostile, and wherever opportunity affords to secure the election of intelligent, honest, earnest trade unionists, with clear, unblemished, paid up union cards in their possession. That as our efforts are centered against all forms of industrial slavery and economic wrong, we must also direct our utmost energies to remove all forms of political servitude and party slavery, to the end that the working people may act as a unit at the polls of every election. That the American Federation of Labor most firmly and unequivocally favors the independent use of the ballot by the trade unionists and working men, united regardless of party, that we may elect men from our own ranks to make new laws and administer them along the lines laid down in the legislative demands of the American Federation of Labor, and at the same time secure an impartial judiciary that will not govern us by arbitrary injunction of the courts, nor act as the pliant tools of corporate wealth.

Labor Organizations in Local Politics.

In response to the call (vol. viii., p. 872) for a convention to formulate plans for controlling party primaries in Chicago in the interest of the labor vote, 300 delegates assembled at Brand's Hall on the 8th. They represented 52 labor unions and 8 civic societies identified with the labor movement. Arthur McCracken was elected chairman and a permanent organization was formed under the name of "The Chicago Progressive Alliance." The apparent importance of this convention in its bearing upon the labor movement in local politics throughout the United States, warrants the reproduction in full of its platform, in which its spirit and purpose are stated:

Realizing that we are at the mercy of an industrial despotism more absolute and cruel than the Russian autocracy, more far-reaching in its effects upon the people's weal, and more dangerous to the happiness, peace and perpetuation of the Republic than the condition of affairs which led to the Civil War; realizing that our wage-earning millions are regarded as soulless machines, enslaved by debauching the very governmental machinery instituted to protect the people and safeguard their right; realizing that these piratical operations are made possible only by the alliance with and control of party machines, which by nominating the tools of these pirates become parties with them in crime; realizing, further, that the prey of the pirates is the wealth-producing toilers from whose labors must come not alone the support of the toilers and their families, but also the hoards of wealth of which they are despoiled, and which form the over-abundance of the idle rich and corporate power with which we are familiar, and, realizing with Samuel Gompers, president of the American Federation of Labor, that "there is but one thing left us now—that is, to make labor's power felt in the elections"—we present the following platform to the voters of Chicago and pledge our candidates to its support:

1. Liberty to the individual to pursue natural enjoyments which do not interfere with the equal rights or liberties of others. And we denounce all interference with these rights and liberties of the people as unjust, tyrannical and opposed to the genius of American institutions.
2. That the people may fully and rationally enjoy their suffrage, we favor an enactment requiring the suspension of business on primary and election days.
3. The nomination of all candidates for elective offices by direct vote of the people at primaries to be held for that purpose.
4. Uncontrolled representative government being debauched and corrupted by those who buy privilege, we favor the adoption of the initiative and referendum, whereby the people may initiate the legislation they desire, which is refused them by their servants, and may veto legislation which their servants attempt to thrust upon them.
5. We favor that most rational and necessary change in the method of dealing with public servants, that of the power of recalling the faithless ones. No business house that was compelled to retain those employees who were faithless to it could long survive, nor can city, State or nation survive that is compelled to retain those servants that betray it.
6. The only issue before the people in the matter of the public utilities is whether the money paid by the people for service shall, as at present, go into the pockets of resident and foreign stockholders, who use our money to pollute the stream of legislation and to corrupt political parties and public servants, and whose insatiate demands for dividends prevent the people getting service and employes obtaining proper wages or working conditions, or whether the operation of them shall inure to the benefit of the people who use the utilities, in better wages and better working conditions for employes and improved service and reduced charges for patrons, that can be obtained through municipal and government ownership and operation; we therefore favor the government ownership of railroads and telegraphs and the municipal ownership of street railways, telephones, lighting and water systems.
7. Taxation, once a matter of exact computation and

paid in proportion to protection afforded by government, has latterly become a political asset and a thing of bargain and sale. The privilege that purchases legislation also purchases exemption from taxation. That the inequalities in taxation may be remedied and that the enactment of matters affecting taxation may be brought within the purview of the people to be affected by it, we favor local option in taxation, and, pending the obtaining of it, we favor an apportionment of police, fire and other protection by wards in proportion to the amount of taxes paid by each ward.

8. Feeling that the abuse of the writ of injunction by certain corporation stalking horses, who have by various devices obtained place on the bench in Federal and State courts, requires a limitation to be placed upon it, we favor such legislation as will require a trial by jury of alleged acts of contempt of court committed out of the presence of the court.

9. Recognizing the fact that Chicago, the metropolis of the Mississippi Valley, the peerless city of the western hemisphere, has outgrown the limitations placed upon her by the aged cities and villages act, and that legislators assembled from all over our State, some of whom are ignorant of our needs, others of whom are not in harmony with our aspirations, still others of whom are mere hirelings, who, for a consideration, would sell us in to further bondage, are not competent to deal with Chicago's needs and desires, leads us to pledge our earnest and utmost endeavors to obtaining for our city a charter that will give to the people of Chicago complete control of their own affairs.

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Similar action, though not in the same form, has been taken by organized labor in Sangamon County, Illinois. At Springfield on the 8th, the Federation of Labor of that city began a campaign to secure the nomination and election of workmen and friends of organized labor, to the lower house of the Illinois legislature, and to that end it has indorsed two members of trade unions, one a Republican and the other a Democrat. It also voted to oppose any candidate for office who would not declare for municipal ownership. This Federation represents 20,000 trade unionists, at least 4,000 of whom are miners. The secretary of the Illinois State Federation of Labor, James F. Morris, is reported as announcing that its membership intends to—

Support representatives of labor and the friends of labor, no matter what ticket they may be upon. It is time for labor to go into politics. I have reports from all parts of the state that the labor people are going to make an earnest campaign to place the right kind of men in the legislature and all other legislative bodies.

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The Traction Question in Chicago.

The official canvass of the Chicago vote on the three traction questions (p. 6) voted upon at the recent municipal election was completed on the 6th and formally announced on the 9th. It is as follows:

For municipal ownership.....	110,225
Against municipal ownership....	106,559
Affirmative majority	3,666
For municipal operation	121,916
Against municipal operation	110,323
Affirmative majority	11,593
Majority required by law	17,428
Lost by.....	5,835
Against granting franchises	111,955
For granting franchises	108,087
Majority against	3,868

In this canvass over 1,000 votes were added to the affirmative vote on operation as originally reported.