

This is removed by his San Francisco interview. The man who in declaring that he is not a Presidential candidate assures the public, as in this interview Mr. Hearst has done, that he is content with doing work that he thinks of value to his fellow citizens, that he is "eager to see the line drawn, irrespective of party, between those who believe in special privileges and those who believe in popular rights," and that wherever that line is drawn he "will gladly fight, in the lead or in the ranks as required," places himself in a position to command respect and confidence, and if leadership shall be demanded of him, of willing loyalty. This declaration is in harmony with his acceptance, obviously disinterested, of the New York mayoralty nomination when his election seemed utterly hopeless.

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A Judicial Clash in Denver.

The suspicion is strong in Denver that the corrupting public utilities corporations have somehow acquired complete control of a majority of the Supreme Court judges of Colorado, and the circumstances give strong color of truth to this suspicion. On any other assumption, it is impossible to account, at a distance, for the curious action of that court in prohibiting a thorough grand jury investigation into the alleged election frauds whereby the corporations were by a scant popular majority given public franchises of great value. Its interference with the appointment by the lower courts of special officers to draw the grand jury and prosecute, the regular officers being interested in the result as beneficiaries of the same frauds, is peculiarly significant. But Denver appears to have judges of its lower courts who cannot be easily intimidated. John I. Mullins of the District Court, at any rate, proves equal to his station and responsibility. The Supreme Court having prohibited an investigation under the auspices of a civic society, Judge Mullins has assumed the responsibility of proceeding upon his own initiative, and in taking this step he makes pointed observations regarding the kingly prerogative that the Supreme Court has assumed in the interest of the corporations, which are as conspicuous as they are invigorating. He is so clearly within his judicial rights that the majority on the Supreme Court bench will have to be more than ordinarily defiant of honest public opinion or the election frauds they are concealing will be brought to light.

MAYOR ROSE OF KANSAS.

With the development of the new order of municipal politics so well described in Howe's "The City the Hope of Democracy," a new type of mayor has come into national prominence. Instead of spoils politicians (either "bosses" or the tools of "bosses") at the head of municipalities, intelligent and courageous civic leaders are becoming notable for their service and popularity in that capacity.

The original of this type was Hazen S. Pingree of Detroit, who was followed by "Golden Rule" Jones of Toledo, although the most distinguished for a definite and pronounced radical municipal policy is Tom L. Johnson, the Mayor of Cleveland. Mayors Dunne of Chicago, Dempsey of Cincinnati, Moore of Seattle, Devereaux of Springfield, Ill., Whitlock of Toledo, Adam of Buffalo, and Fagan of Jersey City are identified with it as fully as local conditions and legal restrictions permit. Mayors of this type stand for public rights and interests, not only against the devious ways of political spoilsmen, but also against the smooth ways of "business" spoilsmen. It is the latter characteristic rather than the former that chiefly distinguishes them. Other types of mayor have rebelled against political spoilsmen; it has remained for this type to set their faces also against "business" spoilsmen—those civic parasites who, while professing to demand good government for all, are in fact solicitous only for valuable privileges for themselves.

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Clearly within this group is Mayor Rose* of Kansas City, Kansas, an important manufacturing center of 90,000 inhabitants. There is also in the career of Rose as mayor an experience entirely unique. For refusing to yield in the people's fight against corporate greed and aggression, he has been singled out for persecution by the State authorities under the prohibitory liquor law.

Mayor Rose, whose full name is William Warren Rose, was born in 1864 at Glen Cove, on Oyster Bay, Long Island. While he was still a child his parents removed to Ogdensburg, also in New York State, where he was educated. Upon graduating he went to New York city, being then about nineteen, to pursue the architectural studies which he had already begun at Ogdensburg; and two years afterward he settled in Birmingham, Ala., to follow his profession. In partnership there with Charles E. Reid, he was successful in com-

*A portrait of Mayor Rose accompanies this issue of The Public as a supplement.

petitions for plans for a \$25,000 hospital, an \$80,000 church, and a \$200,000 college. But these professional successes were not financially profitable to him, and, his original resources being depleted, he sought a new field in Kansas City, Mo.

After some disappointments and delay, he found employment here with James O. Hogg at \$125 a month and permission to do outside work in overtime, a privilege that gave him an opportunity not only to earn \$2,300 in ten months outside of his regular employment, but enabled him to win his spurs in Kansas City as an architect. A partnership with Mr. Hogg soon followed, and their business naturally spread beyond Kansas City, Mo., into the adjoining city of the same name in Kansas. Adopting this city as his home after his marriage to Clara Granby of St. Lawrence County, New York, Rose has now become its mayor.

His high standing in his profession may be inferred from the fact that in the competition by sixteen architects with drawings for the great Convention Hall of Kansas City, Mo., constructed in 1899-1900, Mr. Rose's plans received the second prize. Subsequently he became State architect of Kansas, and when the State building was erected at the St. Louis exposition in 1903, Mr. Rose superintended the erection of the structure under the plans he had drawn.

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Mr. Rose was a candidate for mayor of Kansas City, Kan., as long ago as 1897. Having accepted the teachings of Henry George early in the history of the single tax movement, he acquired an interest in active politics, toward which, along with George, he looked as the means of placing taxation upon a scientific basis and purifying social conditions. In consequence he became the Democratic candidate for mayor. There was no hope of election, the normal Republican plurality being 2,000; but Mr. Rose regarded the nomination and the campaign as opportunities for propagating what his adversaries sneeringly called his "theories." The Republican candidate was R. L. Marshman, a conventional type of the moral business man and respected churchman. Rose invited him to debate the issues, so that the people might "see their goods and select." But Rose was obliged to debate the issues alone, his antagonist refusing his challenge. His solitary debates were effective, however, for he reduced the normal Republican plurality from 2,000 to 618.

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In 1905, Mr. Rose was again nominated for mayor. The election came off in April. His

chances seemed forlorn. The opposition included these elements: the usual Republican plurality, a large corporation corruption fund, a strong organization with the prestige that goes with years of success and which naturally cements a large contingent that wish to vote the winning ticket, several churches whose pastors get into politics occasionally, the gamblers, part of the saloonkeepers, the Civic League, the police and fire departments, and the entire city patronage. Mr. Rose raised the issue of pure water, equitable taxation, and no graft. His campaign treasury comprised \$250 of his own funds and small contributions from a few supporters. There was no organization, but with a few friends who believe in his kind of democracy, he made a house to house canvass, and he won by 880 plurality. He had honestly and frankly raised the question of common municipal rights against special privileges, and the result of the election went to prove that the people of our municipalities are not slow to recognize sincere leadership in their behalf.

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The first serious question that confronted Mayor Rose in the line of his special policy was that of extending the franchise of the Metropolitan Water Company, a corporation which for twenty years had been in control of the city water supplies and had rendered abominable service. This company demanded a thirty years' extension. Recognizing that franchise values are created by the whole people and therefore belong to the whole people, Mayor Rose declared himself in favor of municipal ownership; but owing to the wretched methods of taxation which had prevailed, and a State law placing an unfair limit upon the debt-making power of the city, immediate municipal ownership was confronted with insuperable obstacles. Mayor Rose and his City Counsel, Edwin S. McAnany, therefore prepared a franchise ordinance, which, while it extended the company's rights for thirty years, inserted a ten years' purchase clause and expressly stipulated that when the city should decide to take over the plant all franchise value should be excluded and only the physical value of the plant be considered. In other words, while forced to consent to a franchise, Mayor Rose provided for purchase by the city at ten year periods for the actual cost of construction.

After a prolonged fight, extending over ten months, this franchise came at last to a decisive vote in the Council. All night long it was debated, back and forth and pro and con, until in the

grey dawn of the morning the Mayor and his friends triumphed, and what may rightly be called a model franchise was passed.

The Miller-Brown Company, to which this franchise was granted, will probably allow their rights to lapse, and in that case the struggle will come up once more; but the battle having been won along Mayor Rose's lines of policy it is by no means probable that the Metropolitan Water Company, the monopoly that has so abominably abused its privileges in the past, will succeed in securing any more liberal concessions than Rose conceded.

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Before the culmination of the water fight, as described above, Mayor Rose had come into conflict with the great tax-dodging interests of the State—an inevitable experience. This conflict grew out of his removal of the city assessor. The removal was accomplished only after a hot fight and with slender support in the City Council. Immediately the railroad interests of the entire State, as well as the packing interests of Kansas City, and all the political "machine" forces of the Republican party of Kansas, including Gov. Hoch and Attorney General Coleman, rallied for the purpose of throwing Mayor Rose out of the municipal saddle.

Of course he could not be attacked openly for menacing the special interests with honest assessments for taxation. But old established conditions with reference to the prohibitory liquor law made it possible to attack him collaterally.

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The State laws of Kansas prohibit the sale of liquor everywhere in the State. There are therefore no legitimate liquor revenues. But for 25 or 30 years it has been customary in Kansas for municipal officials to wink at violations of the prohibitory law by persons who pay indirect licenses to the city officials with regularity. There are various modes of this indirect licensing. In some cities, for instance, the liquor sellers are arrested monthly and are left undisturbed during the ensuing month upon depositing cash bail, which they forfeit by non-appearance. In other cities they are arrested every month and fined. In all the river cities, and probably in many others, some such mode of indirect licensing has been in vogue for a quarter of a century as a source of municipal revenue.

Mayor Rose found the custom in full operation when he came into office, and he treated it as his predecessors had done, as his fellow mayors in

other cities were and are treating it, and as the subject of personal property taxation is treated wherever it prevails.

His attitude toward the matter is illustrated by a personal incident. One of his party friends and supporters criticized him for not closing the beer saloons instead of continuing to draw municipal revenue from them.

"But," said Mayor Rose, "the city would be without adequate revenue if I did that; it is short of revenue even as things are."

"That makes no difference," replied his friend. "You ought to obey the law so long as it is the law."

"Do you consider that rule an invariable one to follow?" asked Mayor Rose.

"Without exception," said his friend.

"Then why don't you pay taxes on the full value of your personal property, as the law requires?"

The question was asked good naturedly and received in good part, but it elicited no reply.

Rose was one of the most prominent Democratic officials in the State. His licensing regime was precisely like that of his Republican and Democratic contemporaries in other Kansas cities and of his Republican predecessors in Kansas City, except that he saw to it that the license fees went into the public fund, instead of private pockets; for he required these revenues to be collected regularly on a specific day, so that they could not be diverted from the city treasury without detection. But because the prohibitory law was not enforced, an opening was made for the collateral attack upon Mayor Rose. No attack was made upon the mayors of other Kansas cities, for none of them were making trouble for the plundering corporations. Against Mayor Rose, however, ouster proceedings were instituted in the Supreme Court of the State.

Pending the adjudication of this case in the Supreme Court, Mayor Rose resigned, April 3, 1906, and the president of the Council, a Republican, filled the office ad interim and became the Republican candidate for the vacancy at the special election. But Rose was immediately nominated as his own successor, and within 38 days after his resignation he had been again inaugurated, after election by 1,576 plurality—nearly double his plurality of the year before.

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After his resignation and prior to his reelection, Mayor Rose's case in the Supreme Court was decided against him, and upon his resuming his place as mayor, after re-election, Attorney General

Coleman immediately caused him to be cited for contempt of the Supreme Court of the State for alleged violation of the ouster order, the contention of Rose's adversaries being that the ouster disqualified him for election until the full expiration of his original term.

The counsel for Mayor Rose—Atwood & Hooper, C. F. Hutchings, Nathan Cree and D. E. Bird—raised and argued these points in opposition to the proceedings in contempt:

I.—The judgment is void, because of want of jurisdiction: (a) Because the court has no jurisdiction in quo warranto where other remedies exist, and in this case other remedies existed. (b) Quo warranto will not lie for the purpose of adjudging a forfeiture, but only to enforce a forfeiture.

II.—And if this case was in a court of competent jurisdiction, the judgment, inasmuch as it exceeds a judgment of removal, would be void: (aa) Because beyond the scope of the pleadings and prayer; (bb) Because in excess of the power of the court, which has power simply to remove.

III.—And finally, this proceeding in contempt will not lie, because, before it can proceed to a conclusion, the court must determine the validity of the title by which Rose holds the office of mayor—he being the de facto mayor with color of title—and to do that in a proceeding of this kind would be to collaterally attack his title to his office, a thing that cannot be legally done. Quo warranto is the only proceeding by which the goodness and badness of a de facto officer's title to his office can be determined, and a contempt proceeding cannot be transformed into a proceeding in quo warranto.

This proceeding was under advisement by the Supreme Court until the 6th, when Mayor Rose was adjudged in contempt, fined \$1,000, and ordered to relinquish the office to which he had just been elected. A stay of proceedings has been obtained from Justice Brewer of the Supreme Court of the United States and the case now goes to that tribunal.

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Mayor Rose's popular success is evidently due to his confidence in the honesty of the people. He believes that candidates who go to the people with honest purposes and talk candidly to them about their own affairs, resorting to no evasions and relying upon the people to do their part, can depend upon popular support. His own career confirms this opinion.

The burden of his speeches, as he made his appeal to the people last spring, was this: "I am trying to do something for the man who works for a living. Will you help me?" He took the people into his confidence. He explained his objects and plans to them, hiding nothing. Before his campaign was over the voters realized that he had been talk-

ing to them about their own business in a matter requiring their help. He made them feel that it was "up to" them to do their part, and they did it. In this manner Mayor Rose has demonstrated that the people of Kansas City will listen to and act upon economic truths. They are against special privileges and municipal corruption, and all they need is earnest, honest and open leadership. It matters not whether they are white or black, or are native or foreign born, they get under such leadership a sense of partnership in their government and want it administered simply, honestly and in the interest of all.

Mayor Rose is a clean man, who, to use the language of the street, is "on the water wagon," yet is probably the foremost opponent of the prohibitory law in the State, simply because he does not believe that prohibition promotes temperance and sobriety. He finds that those who would use moral suasion and personal appeals to promote these virtues, lose their interest and enthusiasm in this direction when a prohibitory law is put upon the statute book, and depend upon the law alone to make men sober; that the prohibitory law in Kansas is doing more than any other one thing to breed hypocrites; that it bribes public prosecutors, buys juries, corrupts the judiciary, and furnishes campaign funds for political machines. In Mayor Rose's case the prohibitory law has been made a club, not to promote but to prevent good results. It has been used to baffle him in his efforts to secure more equitable taxation of corporations, to protect the people of his city from the machinations of the water supply company, and to provide them with a clean, efficient and economical city administration. Of forty mayors in the State who might have been "ousted" for the offense charged against Mayor Rose, he alone during the whole twenty-five years of violation of the prohibitory law—habitual, continuous, universal,—has been selected for prosecution. As he is also the only one who ever undertook to tax and otherwise to deal with the corporations and other special interests on an equality with other interests, the inference is obvious.

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Mayor Rose is a man with a level head firm set upon a staunch square-shouldered body, with a steady eye and a firm face. He is a ready debater, logically strong, and in his facts correct and his purposes just. Fluent as well as convincing in speech, and able as well as candid, he is the very type of man for the public career into which he has been drawn.

With all the rest, he is both clear sighted and tenacious. Nothing disturbs his vision and nobody can intimidate him in the execution of his purpose.

EDITORIAL CORRESPONDENCE

ITALY.

Rome, June 21.—It seemed strange to sit in the shadow of the Leaning Tower of Pisa and read of a commonplace strike going on in that ancient city. I had observed that things looked quiet, but Pisa is not a large city, and it might have been the natural sluggishness of a warm Italian day. But the day's paper, which I stopped to look over in the Cathedral Square, explained the quietude. There was a general strike on hand. In the poorer quarters of the town workmen were loafing at corners, or playing games on the small round tables that spread themselves from within the saloons to the pavement and along the streets. There were no crowds and no indications of disorder. The strike was for a slight advance in wages. I have seen no notice of it in the papers at Rome, and do not know the result.

A number of Italian towns are now involved in strikes of one sort or another. Here in Rome a street-car strike seems inevitable within the next few days, if the Socialist afternoon paper, *Avanti!*, is to be trusted. The porter in the hotel becomes excited when I speak to him on the subject, and likewise a young student of engineering from Naples, who tells me he is a Socialist. Their tongues, when they talk on the subject, move at so rapid a gait that my ears cannot keep pace with their eloquent Italian; but from them, and further confirmation, I find that the men work eleven hours a day, that is, twelve hours with an hour off, and get three and a half lire, 70 cents. They are asking for four lire. They have made two demands without response of any kind, and the general understanding is that if the third demand is treated in the same way they will strike. An unsympathetic morning paper claims that the men are under obligation to work, at least until August, at the present rate. A conductor tells me this is not so. What the fact is, I do not know—but how familiar it all sounds to an American.

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No one can read the European papers without being struck with the frequent mention and discussion of Socialism. Whatever the word may mean, it has become to many the concentrated expression for opposition to the existing regime. In all the parliaments and chambers, however, it is evident that there are representatives, calling themselves radicals or by some other name, who claim that they stand for a far larger number of workmen than the professed Socialists. Only a few days ago a delegate in the French chamber attacked the Socialist leader for claiming to speak for the workmen of France. Hardy has been similarly criticized in the English Parliament. It seems to me that a genuinely progressive liberalism has a great opportunity in all European countries at the present time, but that if this liberalism does not show itself to be truly pro-

gressive and sufficiently radical—then there will be a more general political upsetting than the world has ever seen. It is impossible to conceive that the working classes, with their increased power and intelligence, will continue to uphold the glaring contrasts and inequalities that stare one in the face everywhere.

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It has been said that poverty is less hidden, is more evident, in Europe than in America. There seems little difference. It is true that more beggars are seen on the streets of European cities; but these are not, any more than in America, the representatives of the great problem. To see the condition of the poorer classes in Europe one must go to look for it there as well as in America. The fact of there being a few more beggars is a small question; the problem of poverty is the same everywhere. I walked yesterday around the Aventine, which has been for more than two thousand years a poor quarter of Rome—the scene of the first strike recorded in history. For the first time since I arrived in Rome, I saw children, children swarming around doors and in the streets; and out of windows, high and low, were hanging, as Tudor Jenks says, "the short and simple flannels of the poor"—just as one sees in any poor quarter of any city in America or Europe. The contrast with the prim elegance of the splendid palaces on Monte Pincio is just the same as that between New York's east side and Fifth avenue.

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Rome—Roma immortalis—shows of course the concentration and consecration of more phases of the world's history than any other spot on the world's surface. The visitor is in danger of being overwhelmed by the multiplicity and diversity of the memorials and influences. You may get into the classical period, touch the very stones where Caesar and Cicero walked, see the corner where Horace turned to get rid of the bore who was importuning him. And there also you are confronted with arches and columns of the Empire, and mingled with these come to you all at once memorials of the new Christianity and the early church. Then in a minute's walk you may be deep in the Middle Ages—it may be before the Renaissance, it may be after. And before you have adjusted yourself you may be in the nineteenth century, looking where Mazzini struggled for his heart's desire, an Italian republic. Then turning a corner, with the Colosseum still in view, you may see on a bill-board the advertisement of Buffalo Bill's Wild West Show. One catches breath at the proximity of these two, and takes consolation that the world has made progress in humanity. The frowning ruins of the great amphitheater, with all their story of bleeding gladiators and burning martyrs, make one glad that the Italy of to-day, though it be not Mazzini's republic and may have no Raphael, is not the Italy of either classical or medieval periods.

There has been a laudation of the Italian masters of the period of the Renaissance which is so excessive that an amateur fears to utter a word of criticism. Michael Angelo and Raphael, not to speak of less known names, have become sacred words with artists the world over. And yet some day perhaps there will be one brave enough to say something for