

Commenting upon the acquiescence of the shippers in this view of the matter the Journal drives home its point:

In the meat rates we have exemplified the force of Senator La Follette's criticism. The shippers have not protected the interests of the public, and the consumer in the East will be compelled to pay the increased rate to the seaboard. With industry centralized in so many directions, and with the ramifications of finance and industry so interwoven and far-reaching as they are, it is futile for the public to expect to be protected against the exactions of monopoly by the Big Business interests. Apparently the railway interests should be opposed to high duties on steel rails and railway equipment, but the same interests that dominate the steel trust control the railway and banking interests. The burden in any event is shifted to the consumer, while the profits of Privilege are reaped by the interests that seemingly may pay them. The beef trust loses nothing through higher freight rates. The consumer will have to bear the burden. But J. Ogden Armour and his associates in the packing industry are large holders of railway stocks. They will profit from higher railway rates. Big Business has things fixed so that whichever way the consumer turns, he is sure to be fleeced.

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Alexander Ure and Land Values Taxation.

A personal tribute to Alexander Ure, Lord Advocate for Scotland—an incident of interest wherever the British struggle of the people for their land is appreciated—was paid last month at the opening of new and spacious offices at 20 Tottenham street, Westminster, London, for the United Committee for the Taxation of Land Values. Among the 50 guests were Sir Alfred Mond, C. E. Price, Josiah Wedgwood, E. Crawshay Williams, Henry George Chancellor, and Alexander Ure, all members of Parliament, and Mr. Ure of the Ministry also. The tribute to Mr. Ure was in the form of an illuminated address, signed individually by the members and officers of the United Committee, and by the chairmen and secretaries of more than 75 meetings in England, Scotland, Ireland and Wales, at which he had spoken in support of land values taxation. In acknowledging the compliment, Mr. Ure declared himself as at one with his hosts in promoting the taxation of land values, and expressed the hope that he and they would be working together for this purpose as long as there is occasion for it.

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Political Leadership.

A magazine writer who thinks the people must be governed by superiors, makes this classification of the governing elements: bosses, demagogues, and genuine leaders. He overlooks a powerful

class, plutagogues. But never mind; when you put his notion under the microscope, you find that all but the "genuine leaders" are bad and that the "genuine leaders" are of "our set." Same old story—lust of dominion; which is all right if it is our lust, but all wrong if it is the other fellow's lust.

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POSSIBLE FATE OF "VESTED RIGHTS."

A doubtful compliment at the best, was that of one of the Washington correspondents to the late Chief Justice Fuller's career upon our highest bench. It pictured him as a stickler for old time spelling but a revolutionist as to legal principles.

Nothing could have suffered very much if the Chief Justice had tolerated such spelling as "thru" for "through." But just rights of persons and property may have suffered sadly if he, as this correspondent reports him, is to be "found in the Supreme Court record reversing the applied principles of law which he brought with him to Washington."

The correspondent is Leroy T. Vernon. His doubtful compliment to the late Chief Justice appeared in the Chicago Daily News of July 8.

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We are aware of the prejudice that prevails against court decisions according to precedent; but it is an ignorant or thoughtless prejudice.

The old lawyers were right who insisted that it were better for judges to follow a bad precedent (leaving its correction to the legislature) than to nullify it from the bench. For men deal with one another upon the faith of past judicial decisions. If these are judicially reversed, the reversal is retroactive, and contractual rights and obligations are thrown into confusion, whereas a legislative reversal affects future contracts alone.

It must be admitted, however, that the courts are treating precedent with less and less respect. They are doing what Mr. Vernon compliments Chief Justice Fuller for having done—reversing the applied principles of law which they learned of their predecessors.

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Yet upon the whole this judicial tendency may not be bad in its outcome. Although very largely in the interest now of grasping corporations, and inspired by their lawyers, the tendency may be laying a broad and firm judicial foundation for better things.

When the courts are so constituted as to re-

spond to popular instead of corporate inspirations, they may wish to put an end to the pernicious doctrine of vested rights. If they should, they will be able to do it, not by reversing the principles of law, as Chief Justice Fuller is reported to have done, but by following the precedents which such as he and his compeers will meantime have made.

EDITORIAL CORRESPONDENCE

THE OREGON BALLOT THIS YEAR

Portland, Ore., July 21.

Thirty-two measures will be on the Oregon ballot next November.

Six were referred to the voters by the legislature of 1909; one was ordered by referendum petition of the people against an act of the legislature; and twenty-five are proposed by initiative petition of the people.

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Seventeen of the thirty-two measures would not be on the ballot if the legislature of 1909 had really represented the people. So the incompetency or faithlessness of legislators is responsible for a fraction more than 53 per cent of the measures to be voted on.

For example, the voters of the State have before them eight new county or county division schemes, and a bill to refer all such questions to the voters of the territory immediately affected, not one of which should be on the general ballot, nor would be if the legislature had not jockeyed with the county division question. The corporation enemies of direct legislation point to these nine measures as proof that the Initiative and Referendum are a nuisance, but attempt to conceal the fact that the legislature refused to enact a law leaving the matter of creating new counties to the people directly interested.

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Year after year the legislature has played a juggling game with the matter of establishing normal schools, and with employers' liability; so there are three normal school propositions on the ballot, and two opposing bills for liability laws—one initiated by employes and one by employers.

Instead of providing for the enlargement of the asylum for the insane at Salem, the legislature referred to the people a bill to establish a new asylum.

To nullify the proportional representation amendment adopted by the voters two years ago, the legislature has referred to the voters an amendment that will be discussed in another letter.

Finally, to provide a method by which direct legislation may be abolished, the legislature submitted a bill to call a convention to revise and amend the Constitution. This matter also will be discussed in another letter.

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Seven of the measures to be voted on are: An amendment granting suffrage to all taxpayers, re-

gardless of sex; a referendum against an act of the legislature increasing the compensation of the judge of one district; a Prohibition bill and a Prohibition amendment; an amendment giving cities and towns exclusive power to regulate or suppress the liquor traffic; a bill to regulate fishing in the Rogue river; and a good-roads amendment authorizing counties to incur indebtedness in excess of \$5,000 to build roads.

The remaining questions are worthy of separate discussion at another time. They are: Four tax amendments; an amendment authorizing the creation of railroad districts, so that the people may provide transportation facilities for themselves when the railroad "magnates" and "empire builders" refuse to provide them; an initiative bill to extend the provisions of the direct primary law to Presidential nominations, Presidential Electors and delegates to national conventions; an initiative bill to create a board of "People's Inspectors of Government," and to establish an Official Gazette to give information to the people in regard to State, county and municipal government; an amendment making some radical changes in the legislative article of the Constitution; and an amendment revising the judiciary article.

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The people of Oregon are facing the important fact that direct legislation by the Initiative and Referendum enables the people to rule if they use their power, but does not prevent the legislature from making trouble; and behind the trouble makers in the legislature is franchise Big Business, which is now making a mighty effort to break down majority rule in Oregon.

They are facing the fact that real self-government is impossible as long as the people permit private ownership of public utilities. Such private ownership is valuable to the owners because it carries with it the power to tax, which is a function of sovereignty. Any surrender by the people of the taxing power is a surrender of sovereignty, for the taxing power is the most valuable power of a sovereign.

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Enemies of direct legislation make loud complaint that the power of voters to initiate bills and Constitutional amendments imposes a cruel burden upon the people, and that the voters have neither time nor intelligence to distinguish good bills from bad ones.

That looks somewhat plausible when we glance at the thirty-two measures on the Oregon ballot this year.

But there is another side and another view.

Six of the measures to be voted on were referred to the people by the legislature in 1909—about twenty-one months before they are to be voted on. The referendum against an act of the legislature was filed within ninety days after the legislature adjourned, or eighteen months before the election. Four of the measures initiated by petition have been under discussion since last fall, and all the initiated measures were filed by July 7, or four months before they are to be voted on.