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EDITORIAL

Roosevelt in Bryan's Clothes.

It would be very difficult to describe in words President Roosevelt's political plight better than Mr. Bryan did it the other day in London when he was asked if it was true that Mr. Roosevelt had caught him in swimming and stolen his clothes. "He didn't get all my clothes," Mr. Bryan replied, "and I doubt whether what he did get fit him very well." Mr. Bengough has caught the same idea

with his pencil. Verily, Mr. Roosevelt is arrayed in some of Mr. Bryan's garments; and verily, verily he looks in them like a boy in his father's overcoat.

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Chicago Traction Values.

It must be highly entertaining to the representatives of the Chicago traction interests to have their latest tax schedules publicly compared with their modest price to the city for their tangible property. Their price to the city in June of the present year (p. 299) for the tangible property was \$47,505,154.58; but the value of this property for taxation last Spring appears to have been only \$27,100,100. And now the question is whether the companies were over-assessed in the Spring or were magnifying values in June. The latter seems to be much nearer the truth; for in 1892 an expert, Bion J. Arnold, valued this property at \$26,684,906. Since then about \$3,000,000 in value of new equipment has been added, which brings the true value up to nearly \$30,000,000—more than \$17,000,000 less than the companies' representatives are demanding of the city.

* *

Success of the Initiative and Referendum in Oregon.

However one may feel about the particular results of the initiative and referendum votes in Oregon last month (p. 320) there can be no two honest opinions about the value of this method of popular government. No better tribute could be desired by the most ardent advocate of the initiative and referendum than that which is paid by the Portland Oregonian, the largest and most conservative paper of the State. "The questions balloted upon by direct vote," says the Oregonian, "were not party issues. They stood or fell upon their merits alone. They were studied without factional prejudice, and decided, we may fairly suppose, solely with reference to the public good. It is one of the greatest merits of the initiative and referendum that it makes possible a clear separation between local and national issues. Under the older system, which still prevails in most of the States, the people could express their opinion upon such a matter as the Barlow toll road purchase only by their choice of legislators. In determining this choice, numerous other questions necessarily played a part. Which party the candidate belonged to, how he stood on the local op-

tion question, upon woman suffrage, and many other matters, would all unite to confuse the mind of the voter, and he could never express himself clearly, directly and exclusively upon any particular point. The method of the initiative and referendum permits each voter to express his individual opinion upon every question standing entirely by itself and without admixture of personal or partisan bias. . . . The heavy vote upon the questions submitted to the referendum and the decisive majorities by which they were accepted or rejected prove that the Oregon system has solved the problem of interesting the voters in the dry details of government. Hitherto they have shown little interest in these matters because their opinion was only of indirect and doubtful consequence. In this election the vote upon abstract laws and matters of pure finance was quite as large and enthusiastic as upon the Governor. The referendum bills and the amendments were disposed of by majorities ranging from 10,000 to 30,000, showing that the people had studied them and definitely made up their minds. A small, scattering, indifferent vote might well have discouraged the advocates of direct legislation and would have indicated that the task of interesting the plain people in governmental details was hopeless. The opposite result is proportionately encouraging. These large majorities also indicate that the people enjoy the genuine article in self-government; and their acceptance of the amendment facilitating constitutional changes, the one requiring the referendum in cities, and the most excellent one bestowing complete local government upon municipalities, seems to show that they are determined not to be satisfied with less than the whole." This tribute, recognizing so frankly the very opposite of the results dolefully predicted for the initiative and referendum by advocates of strict representative government, is an exceedingly hopeful sign. It is an acknowledgment of all the principal claims for the direct popular method of legislation: separation of national from local politics, separation of personal from political issues, and excitation of public interest in governmental questions. There is no objection to the initiative and referendum which is not answered by the experience of Oregon.

* *

The Just Basis of Taxation.

There have been reasons for hoping that Attorney General Ellis of Ohio would sooner or later perceive the injustice and the social inexpediency of trying to tax men on all the wealth they have,

regardless of whether they earn it or not; but an extract from his speech at the Ohio Bar Association at Put-in-Bay on the 12th, shatters the hope. Describing his idea of "the only just theory of taxation," he said: "It is neither the 'benefit' theory, by which each man gives in return for what he gets, nor the 'faculty' theory, by which each man contributes in proportion to his ability, but the 'equality' theory, by which each citizen surrenders to the government an equal percentage of all he has." There could be no better fiscal contrivance for enabling the rich to dodge taxes and forcing the thrifty poor to pay them, or of extorting from those who create the wealth of the country, and assisting those who merely appropriate it to dodge the burden. The only just tax, like the only just price for goods at the store, is obviously that which approximates an equilibrium of money value between what the taxpayer receives from the government and what he pays to the government.

* *

Theatres as Public Institutions.

An intermediate appellate court in New York City has decided that a theatre ticket is only a revocable license, and that its purchaser cannot enter the theatre against the commands of the proprietor. The question arose in a case brought by a dramatic critic, Metcalfe of "Life." Several managers combined in an agreement to exclude him from their theatres. They enforced their agreement, and he was systematically excluded though he held tickets. His money, the price of the tickets, was offered him; but he refused to receive it back. In the lower court his right to enter was sustained; but on the 12th the Appellate Division of the Supreme Court decided against him.

* *

This legal idea that theatres are absolutely private property was doubtless sound enough in the earlier days of dramatic representation, when the question was first so decided in this country. In that old case, decided before the Civil War, a white man had bought a ticket of a traveling show and given it to a Negro and the Negro was ejected notwithstanding his ticket. Race prejudice was strong and the principle of revocable license was applied by the court. But since that time the theatre has become charged with a public use. Like the hotel and the restaurant it is thrown open by its proprietors to all comers who comply with terms which are prescribed equally for all, and an agreement to serve is thereby implied. To allow managers to exclude, by way of personal discrimina-