

producing alcohol from farm products; and at the meeting of the National Grange last Fall strong resolutions were unanimously adopted urging the exemption. Manufacturers of chemicals, hats, automobiles, furniture and other mechanical products have seen the advantage of it to their businesses also; and among the labor organizations that have joined the farmers and the manufacturers in advocating the measure are the American Federation of Labor and the Brotherhood of Painters and Decorators. Yet this simple and obviously beneficial reform has progressed very slowly. In fact, until now it has hardly progressed at all in Congress. Something has obstructed its progress there; and this something seems to be the Standard Oil Company, with whose products free alcohol would come into sharp competition. The obstruction does not come, at any rate, from the temperance interests. In order to remove their objections to the freer use of alcohol as a beverage, the exemption measure, as it has passed the lower house of Congress, requires the product to be "denatured" so as to unfit it for drinking purposes. To observe the methods of senators said to be representatives of the Standard Oil crowd, when they come to dealing with this tax-exemption infant from the House, will be an interesting study.

Divorce Question in the Federal Courts.

Too much scope has been given in the newspaper reports to the legal effect of the recent decision of the United States Supreme Court in the Connecticut-New York divorce case. This decision does not and cannot invalidate the Connecticut divorce in question. In Connecticut that divorce is as valid, the remarriage is as legal, and the children of the remarriage are as legitimate, as would have been the case had the Supreme Court decided the other way. Not only is this true in Connecticut, but it is also true in every other State which chooses to regard it so. What the Supreme Court has decided, and all it has decided or could decide, is that in such a case no State is bound by the Federal Constitution to recognize the divorce as legal if it chooses to deny its legality. New York does choose to deny its legality, and the Supreme Court decides that in doing so New York is, under the circumstances, within its constitutional rights.

The circumstance which is held constitutionally to justify New York is the fact that the divorce, which was obtained in Connecticut by the husband, whose domicile was in that State, was granted in a law suit against the wife, domiciled in New York, without service upon her within Connecticut of the process whereby the law suit was begun. The Supreme Court decides, therefore, that the courts of Connecticut never acquired jurisdiction either of the person of the

wife or the subject matter of the litigation, in such manner as to bind the authorities of any other State.

In all probability this decision will either be whittled away by future decisions making distinctions, or will be ignored or overcome as impracticable. Should the States act in accordance with it, it is not inconceivable that few divorces would be valid outside the State granting them, unless they were collusive. The guilty party, by leaving the State of the marital domicile, could avoid service of process there; and if pursued by the injured party, could migrate to still another State, and then to another and another, before the injured party could acquire the statutory residence required in divorce cases. Even if in practice the decision should not develop into that absurdity, it would nevertheless complicate the question of legal divorce more than ever. A divorce in proceedings begun by service of process outside the State granting it (being the domicile of the injured party), and valid in that State, might be recognized in some others and denied in the rest; in some, therefore, a man's wife or woman's husband could be one person and in the others another; in some the second marriage would be legitimate and in the others bigamous; in some the children of both marriages would be legitimate and in the rest those of the second would be illegitimate. In order to make these interesting results possible, the majority of the Supreme Court appear, as Justice Holmes distinctly states, to have directly reversed one of its own well-considered decisions. They have also indulged in the novelty of recognizing two distinct domiciles in the marriage relationship—one for the wife and another for the husband.

The Negro and His Persecutors.

It is to be hoped that at last the fiendish criminality which delights in torturing men for a variation in complexion on pretense of discouraging crime, will come to punishment. The Springfield case is peculiarly atrocious and exceptionally without an appearance of excuse. The tortured and murdered Negroes were innocent of the crime of which they were accused. They had been declared innocent by the victim of the crime. There was no other motive for torturing them to death or in suffering it to be done than the pleasure which some mobs of white cowards take in cruelty to Negroes. It may be that hatred of the Negro race is so strong in the Ozarks that a white jury cannot be found to convict the lynchers. But the Negroes were tortured and killed in the presence of thousands of white people, the ring leaders wore no masks and were well known, the lynching lacked even the lynchers' warrant for it, and the State authorities are determined to make a wholesome example if possible. If under these circumstances

an example cannot be made the conclusion is inevitable that in some parts of this country Negroes are without legal protection. Their lives are in jeopardy merely because they are Negroes, and the law abandons them to law-defying mobs. Were that conclusion established, there would be but one of two things for Negroes to do. They could buy pistols and shoot at sight the first white man who menaced them; or they could adopt the Tolstoyan theory of non-resistance. The latter is the more likely to win in the end if well adhered to; but no matter which they choose, they must act upon it in earnest. If the former, they must fight to the death, and we should hope for the sake of the white race that some whites would fight with them; if the latter, they must be patient, uncomplaining and unresisting, in the extreme.



Mayor Dunne's Traction Counsel.

If any further assurances were needed of the wisdom of Mayor Dunne's appointment of Walter L. Fisher as special counsel in traction matters (p. 27), it has been abundantly furnished. The bitter hostility of the most irreconcilable enemies of Mayor Dunne's administration and the most persistent adversaries of his municipal ownership policy, testifies emphatically to the Mayor's fidelity and good judgment and to Mr. Fisher's loyalty and qualifications.



Mayor Dempsey's Stand.

Americans have become somewhat familiar with the "recall," an electoral device whereby the people may revoke the authority they have conferred upon an official who betrays them or fails any longer to represent them. It is an aspect of that democratic feature of the British government known as "going to the country," in accordance with which cabinet ministers resign their offices and bring on a popular election for their own approval or condemnation. Bearing a close resemblance in a smaller way to this British custom was the recent resignation of Mayor Rose of Kansas City, Kansas (p. 7), with a view to becoming a candidate for re-election. And now Mayor Dempsey of Cincinnati has adopted another variation of the same general principle. He gives public notice that a failure by the people at the coming primaries and election to support his administration by the choice of officials in sympathy with the policy on which he was elected and which he is trying to carry out, will be regarded by him as a reversal of public opinion and in the nature of a recall, in obedience to which he will immediately resign.



Mayor Dempsey's declaration is a plain statement which takes the people fully into his confidence and ought to command their respect. It

is too long for reproduction here in full, but as a matter of national interest, especially with reference to municipal affairs, we quote from the Cincinnati Enquirer of April 10 the part that is of most general concern:

I went into this fight last Fall on a theory that I might be of some benefit to the people at large in their uprising against the bosses and vampires who had fed upon the people. And I propose now to stay in the fight until it is fully demonstrated to me that the people themselves are not in sympathy with my notions, and that they prefer the old form of Republican bossism and Democratic Bernardism to their own rule. Those who are associated with me in this battle propose to test the feelings and desires of the people from now until after the next election. We propose to make an appeal to the independent, right-thinking people of both great political parties to come out and do their duty at the primaries, and to see to it that the proper kind of men are selected at these primaries for executive committee men and delegates to convention. If by means of the tricks and machinations of the professional politicians it should so happen that the machines get control, then we shall make a second appeal to all the independent citizens of all parties whatsoever, to get together under the leadership of some such man as Mr. Elliott H. Pendleton, representing the Citizens' Municipal party, and to make a ticket for presentation to the voters of this county that for character and capacity will never have had an equal in this county. The idea back of this movement is not partisan in any sense whatever. The aim is to get at the present crisis in our affairs men of the proper character and caliber who are free from domination and bossism and subserviency and truckling to any one, to serve as candidates for the positions to be filled. The rallying cry will be, as it was last Fall, opposition to bossism, whether it be Republican bossism or Democratic Bernardism. This appeal goes out to all the citizens of Hamilton County, irrespective of former political affiliations; to all those independent respectable Democrats who are opposed to bossism and Bernardism, to the members of the independent Roosevelt Republican Club, to those who are building up the Citizens' Municipal party and to all of those who belong to no clubs and publicly acknowledging allegiance to no local party are nevertheless interested in the good government of their city, townships and country. To all these does this appeal go now, and to all these will it go from now until election day next November. Should it so happen that after this appeal and after the arguments that have been made to the people in their own behalf and for their own benefit the people should decide that they are not in favor of the beginnings instituted last fall, but prefer to go back to the old regime and the despotism and the old vampirism of bossism and Bernardism, then will I and those whom I represent, consider that we and the principles that we are fighting for, are not wanted by the people of this city and this community, and my resignation as mayor of the city of Cincinnati will be immediately forthcoming. There is no other alternative. The issue was so closely drawn last Fall between the rule of the people on one side and Bernardism and bossism on the other, that there can be no middle course. If the people want Bernardism and bossism they do not want me or the principles I stand for, and I ought to get out. If the people want me and the principles that I am standing for, and what they have voted for last Fall, then they do not want Bernardism or bossism of any kind, and they must demonstrate this finally and conclusively and absolutely by their attitude at the