

war fever died down that at the local parliamentary elections, even in Melbourne, pro-Boers were successful at the polls; and in Queensland "patriotic" labor members were dropped by the voters, while those who had staunchly opposed the conquest of the Boer republics were successful favorites. In the federal contests, although the state of Victoria remained protective and there is nominally a protection majority in the federal parliament, as stated above, yet New South Wales maintained her free trade attitude, and South Australia, Tasmania, and West Australia, hitherto protectionist, returned majorities against protection. In West Australia the protectionists were politically almost annihilated. In this state as well as in Hirsch's district of Victoria, the single taxers came just in sight of success. The president of the West Australia single tax league, J. A. Thompson, a candidate for the federal senate, was seventh in the poll for a delegation of six. Similar exasperating fortunes attended the single taxers of New South Wales, where Mr. Lonsdale polled over 3,000 on that ticket only to be defeated by four votes. The leading single tax candidate in South Australia was Crawford Vaughan, who ran for the federal house of representatives. The delegation numbers seven, and there were 17 candidates. Mr. Vaughan was a "straight out" single tax candidate, yet he stood eleventh and polled 11,800 votes. It will be peculiarly interesting to American readers to learn that questions of conflict of power between the Australian states and the central government have already taken shape, and that Hamiltonism and Jeffersonism are dictating the direction of party lines of division.

Senator McLaurin, of South Carolina, is doubtless congratulating himself upon having a friend in the governor. This senator, though elected as a democrat and professing still to be a democrat, has voted consistently in the senate in support of President McKinley's administration. He voted

for the Spanish treaty of peace, not as a Hobson's choice, but cordially; he voted for the Puerto Rico bill; he voted for the Platt amendment in opposition to Cuban independence; he voted for the ship subsidy bill; he voted on all important measures with the administration republicans, and has been rewarded with administration patronage; and he is now advocating in South Carolina the adoption of the McKinley policy by the democratic party. Upon this record, Tillman challenged McLaurin's democracy, and the two agreed to carry that issue to the democrats of their state. For that purpose they resigned. But it became instantly clear that Tillman would overwhelmingly defeat this democratic candidate for republican service and honors, and the governor—also a McKinley democrat—interposed with a request that the resignations be withdrawn. McLaurin rectified his mistake at once by withdrawing his, for which he is being heartily applauded by the republican press of the country. The governor relieved him and his republican confreres mightily. After that, of course, nothing remained for Tillman but to withdraw also. It would be especially interesting to learn from Senator McLaurin upon what principle of southern honor he backs out from a joint agreement of honor without consulting the party of the other part.

Temporarily the excitement in Ohio over the tax fight which Mayor Johnson, of Cleveland, is making against the railroads and the county auditors has subsided. This, however, is only a lull. In a little while trouble will begin again. Meantime the mayor is preparing to bring other taxation delinquencies to the front. The most interesting proceeding in this respect, so far reported, is the mayor's reorganization of the local board of equalization. This board, as we noted last week, is now controlled by a majority who sympathize with the mayor's views on taxation. It had never used its powers, and was generally made up of very ordinary if not corrupt

men. But Mayor Johnson discovered that the members are appointed by the mayor, two every year, each holding office for three years. The first two vacancies would have occurred the 16th of next July; but that was too far off for Mayor Johnson's purpose. He, therefore, found pleasant and profitable occupation in other city positions for four members, and so made room for four new ones out of a total of six. To these vacancies he has appointed four men who can be relied upon absolutely both for intelligence with reference to matters of taxation and for the necessary moral stamina to resist temptation. The mayor expects that this board will be either legislated out of office, or suppressed by the supreme court as an unconstitutional body. But he says he neither knows nor cares which course is adopted by the tax dodging interests, for the board will have exposed them to the full before it can be disturbed.

As to the political situation, every eye in Ohio appears to be turned upon Cleveland. To average politicians Johnson's political tactics are inexplicable. They supposed at first that he was working either for the governorship or the senatorship. But this theory collapsed when Johnson published a positive statement saying that he was under contract for two years to the people of Cleveland to manage their city affairs and that nothing, not even a governorship or senatorship, could tempt him to quit the mayor's office. Then it was surmised that he had made a combination with John R. McLean, whereby he was to become democratic boss of Ohio and McLean was to go to the senate. The McLean party exposed their willingness to make the combination, by consenting to have the state convention held at Cleveland yet changing to Columbus as soon as Johnson publicly declared war upon McLean. Johnson did declare war upon him, and at the very moment when McLean's friends had consented to a Cleveland convention. For Johnson never fights in the dark. He regards McLean, and justly so, as

an enemy to democracy, who must be driven from party councils if the party is to be democratic; and he was unwilling that McLean should remain in doubt upon that point for a single instant. After all this, the politicians wonder what Johnson does want.

Yet what he wants he makes no pretense of hesitation about asking for. He wants the state convention to adopt such a platform on taxation as was adopted at the Cuyahoga convention. It appears in another column. And he wants it to nominate a candidate for United States senator, so that nobody can buy the seat by corrupting an unpledged legislature. Johnson's political policy is simple. He conceals nothing. Like expert whist players, he regards the advantages of having your friends understand your play as more than offsetting the disadvantages of disclosing it also to your enemies. The only way for friend or enemy to understand Tom L. Johnson is to take him at his word.

An attempt to establish woman suffrage in California through the courts, has been defeated by the decision of Judge Sloss, of San Francisco. He holds that the courts have no authority to make law; that it is their function to construe the law as they find it. This is good doctrine. The pity is that judges do not more consistently conform to it. Judge Sloss accordingly decided that women have no legal right to vote in California. We assume that he is right in that also. As a legal proposition, the suffrage in California doubtless is unjustly limited. In every respect, Judge Sloss's opinion appears to be supported by sound reasoning, except at one point, which, however, was not material to the case. This is where he goes out of his way to say that if the suffrage were placed upon the basis of natural right, the argument that places it there, if carried to its legitimate conclusion—

would result in the franchise being extended to idiots and insane persons

as well as to individuals of sound mind, to infants in arms as well as to men and women of mature years, to criminals as well as to law-abiding citizens.

With all due respect for the California judiciary in general, and Judge Sloss in particular, that is "bosh." It might pass as argument in some magazine studies, but it is unworthy of a trained lawyer. By the same kind of reasoning one might prove that no one has a right to ride a bicycle, because babies and idiots cannot and convicts are not allowed to. Or by reversing the direction of this reasoning, it might be shown that it would be right, or at any rate not wrong, to take the suffrage away from everybody in California.

Two Iowa lawyers have been proceeded against by the supreme court of that state for contempt of court. An important case had been decided against them by this tribunal, under circumstances which indicated that the court had given scant attention to vital points which they had raised. For this reason they filed a petition for rehearing, in which they charged the court with a habit of discriminating against obscure attorneys in favor of those that are distinguished. The petition begins:

With a full realization, from long experience, of the futility of efforts to correct judicial wrong on rehearing, we file this petition because of a sense of duty to make every effort to exonerate our clients from an obviously unrighteous judgment.

Declaring then that "cases should be classified according to their judicial importance, as affecting the rights of the masses, and not with reference to the distinguished ability of counsel," the petition charges that the rights of their clients were disposed of "in a perfunctory manner, without reading the argument." Doubtless this manner of addressing the court warrants the proceedings for contempt which the supreme court judges have instituted. But a question still remains. When lawyers thus deliberately place themselves in contempt of a court, may it not be that the court has de-

served to be held in contempt? It is almost unthinkable that any set of judges should be subjected to the indignity of such criticism, if they had taken pains to make themselves worthy of the respect and confidence of the whole bar. It may be that these two refractory lawyers deserve punishment. It may be that this is necessary, not only to check them, but to make a wholesome example and maintain the dignity of the court. But it is difficult to avoid the conviction that less sensitiveness about judicial dignity, and stronger assurances of judicial fidelity, would serve better than anything else to rebuke contemptuous lawyers and to maintain true judicial dignity. In this particular case, for example, the disrespectful tone of the obnoxious petition is of far less importance than the charges upon which it brings the judges to judgment. The community can get along fairly well, even if somebody does once in awhile make faces at judges; it cannot survive an indolent and unfaithful judiciary.

In a recent report the New York chamber of commerce expresses regret over the failure of the Elsberg local option and apportionment tax plan (see vol. iii., pp. 342, 629, 692) in the New York legislature at its session this year. The plan, as to its apportionment feature, would reduce boards of equalization to clerical bodies, leaving them no discretion. That is accomplished by making the local tax of each locality for one year the basis of the proportion of county and state taxation of that locality for the next year. As to its local option feature, the plan would allow each locality to levy its taxes upon such class of property — personalty, landed improvements, land, or all three—as the people of the locality might prefer. This measure was unanimously approved by the New York chamber of commerce in January last, and in the excellent report of May 2, now before us, which bears the signatures of George F. Seward, Charles S. Fairchild, Alexander E. Orr, John Harsen