in the North, in Georgia or Ohio, in Louisiana or New England, it is the solemn duty of the national authorities to respond to his appeal and to conserve his rights of American citizenship.

Japan's defense of the seizure of an armed Russian vessel in a neutral Chinese port is as a matter of reasoning without a flaw. She urges that China's position in this war is unique. China is a neutral power, yet not wholly neutral. The war is waged on some of her territory, outside of which both combatants have agreed to respect her neutrality. The port in question is outside the belligerent area and therefore to be regarded under ordinary circumstances as neutral. But when Russia's armed ship is forced by the Japanese out of the belligerent area, and takes refuge in the neutral port, that port is in virtue of that fact to be at once included in the area of belligerency. No answer has been made to this contention; and how any logical answer can be made it is difficult to see.

If Japan had driven the Russian land forces from their base in the belligerent area of China, and instead of surrendering they had retreated to the neutral area of China, all armed and ready to return when opportunity offered, could it be reasonably asserted that the Japanese must not follow them into that neutral area? Would not the neutral territory instantly become belligerent territory when the armed Russians retreated into it to escape pursuing Japanese? Surely it cannot be seriously urged that the Japanese should stop at the line of belligerency and helplessly see their routed enemy reorganize and reform over on neutral ground? But if the Japanese army would have the right to follow a fleeing Russian army from the belligerent land area of China, why may not a Japanese warship follow a fleeing Russian warship from the belligerent Chinese port, from which she escapes, into the neutral Chinese port where she seeks refuge? Why does not every Chinese port become, as the Japanese argue, a part of the belligerent area of China the moment the Russians utilize it to escape from their victorious foe?

ANOTHER IMPORTANT REFERENDUM IN ILLINOIS.

For the fourth time a petition is before the voters of Illinois for an advisory referendum under the Foote-Crafts "public policy" law. Three questions are proposed. They relate (1) to direct popular primaries as a substitute for conventions for nominating candidates for office; (2) to popular referendum vetoes of objectionable local legislation; and (3) to the regulation of local taxation. In full, these questions are as follows:

(1) Shall the State legislature amend the primary election law so as to provide for party primaries at which the voter will vote under the Australian ballot directly for the candidate whom he wishes nominated by his party, instead of voting for delegates to convention or caucus; the primaries, throughout the entire district affected by the offices for which nominations are to be made, to be held by all the parties conjointly at the same time and polling places. This law not to prevent the nomination of candidates by petition as now provided.

(2) Shall the State legislature pass a law enabling the voters of any county, city, village or township, by majority vote, to veto any undesirable action of their respective law-making bodies (except emergency measures) whenever five per cent. of the voters petition to have such action referred to popular vote. This law to apply only to such localities as may adopt the same.

(3) Shall the State legislature submit to the voters of the State of Illinois at the next following State election an amendment to the State constitution, which will enable the voters of any county, city, village or township of the State of Illinois to adopt such system of assessing and levying taxes as the voters of any such county, city, village or township may determine.

The fact is now pretty generally known that the "public policy" law of Illinois provides for popular voting on any question of State or local policy. The law is unique. Its author, Mr. Allen Ripley Foote, and its sponsor in the legislature which enacted it four years ago, the Hon. Clayton E. Crafts, probably had no higher expectations regarding it than that it might occasionally serve as a wholesome admonition to the State legislature and to city councils of the trend of public sentiment; while the majority of the legislators who voted for its enactment doubtless believed that in consequence of their amendment requiring an enormous petition to give it effect, it would be a dead letter on the statute books. But it is not a dead letter; and that it is more binding than its author and its sponsor expected is probable. Two Chicago petitions and one State petition have been voted upon and with good effect; and competent lawyers in increasing numbers are coming over to the opinion that popular verdicts rendered under this law are not merely suggestions, but are legally mandatory, with somewhat of the force of a constitutional provision. Their view of the mandatory character of the law will probably be presented to the courts at an early day. Should the city council of Chicago attempt to pass a compromise franchise ordinance (p. 305) in the face of the "public policy" vote of last Spring against all franchises and in favor of police-power licenses pending the final adjustment of legal complications, legal proceedings on the basis of the "public policy" law will doubtless be instituted.

The first vote under this law was taken in Chicago at the Spring election of 1902, with reference only to local questions, and with this result (vol. iv, p. 821):

(1) Ownership by the city of Chicago of all street railroads within the corporate limits was demanded by a vote of 124,594 to 25,987—a majority of 98,607.

(2) Ownership by the city of Chicago of the gas and electric lighting plants (the same to furnish all heat and power for public and private use) was demanded by a vote of 124,190 to 19,447—a majority of 104,743.

(3) Nominations of all candidates for city offices by direct vote of the voters at primary elections to be held for the purpose was demanded by 125,682 to 15,861—a majority of 109,221.

At the Fall elections of the same year, the second experiment under the "public policy" law was made, the result being that the voters