

tive, referendum, and recall—as established in the Des Moines plan, is incorporated. This is in all respects the best example of charter making yet put out.

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Progress of Direct Legislation.

Opponents of direct legislation are finding it progressively more and more difficult to stem the tide. Not only has direct legislation got a firm foothold in several western States, not only is it irrevocably established in Oregon, not only has it been voted into their Constitutions by the people of Maine and Missouri, not only is it getting into all the up-to-date city charters, but conservative citizens without axes to grind are declaring in its favor and working for its adoption. In California, for instance, the Direct Legislation League is officered by such men as Rudolph Spreckels, James D. Phelan, James H. Barry, William Kent, Milton T. U'Ren, W. G. Eggleston, and Francis J. Heney. Its declared object is to end "corrupt political rule in city, county and State by placing in the hands of the people those instruments of direct legislation that make representative government representative." The instruments alluded to, are, of course, the "initiative," the "referendum," and the "recall." No one intelligently opposes them unless he has an interest in making representative government misrepresentative.

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Congressional Information.

Collier's Weekly has undertaken a most important civic work in establishing a bureau devoted to digesting and simplifying the records of Congress and making them easily accessible in intelligible form. The service is to begin with the first session of the next Congress.

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DIRECT LEGISLATION.

The referendum seems generally to be misunderstood. People apparently believe it to be something strange—a new device, whose merits and demerits are vague and uncertain. In truth it is a plan universally followed in all parliamentary bodies. Without it parliamentary law is impossible. Its absence from legislative assemblies is possible only through the substitution of that meanest and most irritating of all tyrannies, the rule of the gavel.

The referendum and initiative are the means by which self-government is secured by any group of men under any conditions whatsoever. Interfer-

ence with these is just so much subtracted from the fact of self-government.

In deliberative bodies a chairman is selected to preside. His duty is upon demand to enforce the rules that may be adopted. If any decision rendered by him is thought to be in violation of these rules any member may appeal from such decision to the whole body. This is the referendum. In the absence of this right of appeal the presiding officer practically can do what he pleases.

If a member wishes action on any matter he makes a motion to that effect, and this, on receiving the support of a second member, is placed before the body for consideration and adoption or rejection. This is the initiative. In the absence of this right to "move," members are without power to act.

If the people of a city, State or the nation, are in truth to be self-governing it seems inevitably to follow that they must have at hand the means of making the government do their bidding. The people of the city of Chicago, for instance, voted in favor of public ownership of their street car system, but their board of aldermen were able to thwart the popular desire. The people of Philadelphia, and many other places, have repeatedly found themselves unable to achieve their wish. To many, self-government has for such reason come to be looked upon as an iridescent dream.

This pessimistic view arises from the fact that we are possessed of but part of the necessary machinery of self-government. We are like an engineer who has all essentials save the governor. His engine will "go," but its action is beyond orderly control.

The initiative and referendum, taken together, are called direct legislation. That is, just as in any deliberative body, if the usual machinery does not produce desired results, the body can act directly. So, if our city or other government does not act rightly, the body of the people, when possessed of the machinery of direct legislation, can act, or legislate, directly. Without this power they are not really self-governing.

The Initiative.

It is proposed, therefore, to give to a certain percentage of the qualified voters in any political body the power to prepare and present petitions for proposed laws to the whole body of voters. This is the exact equivalent of a motion in any club or society, save that a considerable number of "seconds" is required. That is, each signer of the petition really "seconds" the motion to adopt the matter proposed in the petition. Such action is the initiative.

It is sometime said that the people need only to elect officials favorable to desired laws, and that thereby all need for the device known as the initiative will vanish. The fallacy in this position comes from the fact that our officials have many duties. An officer may be highly esteemed and very satisfactory in nearly all relations, but at the same time be quite at variance with the people on some question held by them to be important. Why shall we maintain a system that either deprives us of the efficient officer, or of a measure that we believe to be expedient?

An officer was elected by a majority of two to one, although he declared himself opposed to a policy that the same constituency favored by a vote of three to one. The opposing candidate, meanwhile, had declared in favor of this policy. The explanation is simple. Other issues were, in the opinion of the voters, sufficiently important to force this matter into the background. If possessed of the power to initiate legislation, the voters could have enjoyed the services of the officer they desired, and also secured the adoption of the policy they preferred. They were, in fact, but partly self-governing.

The Referendum.

It is also proposed that the people shall have power, expressed by petition, as explained in the above reference to the initiative, to promptly propose the defeat of acts of legislation deemed by them to be unwise. If a measure has been enacted by the legislature, a petition may be prepared within a stated time (perhaps 90 days) and signed by the given percentage of qualified voters, whereupon it shall be submitted to the people for adoption or rejection. This is exactly equivalent to "an appeal from the chair." The matter may be placed before the people at a special election or at the next general election.

It is sometimes urged that under such a plan the people would be voting all the time and on all manner of questions. In fact, the referendum, where adopted, is seldom resorted to. Legislators are careful when they know the people can reverse their doings; and, very much more important, lobbyists are not inclined to use their peculiar powers of persuasion on members of legislative bodies when they know there are watchful citizens intent upon the defeat of their nefarious schemes, and with full power to defeat them if the people so will.

Legislators are usually elected for two years, and the people, who are the principals, have no control of their agents save by criminal or impeachment proceedings—and constitutional guar-

anties, which are subject to court interpretation. Would any rational business man give to an agent or agents compete control—equal to an irrevocable power of attorney—of his establishment for two years? If he continued this practice, with no power save to change his attorney every two years, how long would his establishment continue to be his property?

The referendum will not only cure legislative rascality, but in even greater degree will operate as a preventive. Would a railroad corporation bribe a legislative body to enact injurious monopoly laws if it knew the people would in all probability rescind such act within a few weeks or months? It would not pay. The corporation would merely lose the money spent to secure legislative privileges.

Legislative Obstruction.

With the initiative and referendum the will of the people cannot be thwarted by indirect methods. In the legislature, "pigeonholing" and obscure amendments frequently divert or even reverse the effect of a law as first introduced. A bill, on being presented to the legislature, is referred to a committee. Unless those interested in its adoption are sufficiently powerful to overcome any opposition that may appear, the bill is never heard of again—it is "pigeonholed."

If forced from the committee, and its enemies cannot outvote its friends, it may be placed so far down on the list of bills that the day of adjournment arrives before it is acted upon. Failing to stop the bill by these methods, amendments are proposed, and it often happens that a few members are (or profess to be) convinced the amendments are desirable, when in fact they render the whole bill useless.

If the bill finally gets through one house, it must travel the same course in the other. Failure of the two houses to agree often leads to a conference committee from both—with, of course, another opening for clever minds.

After all this the bill may still be vetoed. Later still it must run the gauntlet of the courts.

All of these indirect methods of obstruction are avoided by the initiative and referendum. A bill properly signed and filed goes to the people without obstruction. The people either adopt or reject. All opportunity to deceive or poison is eliminated.

Direct legislation is merely the application to our public affairs of those methods that experience has shown best suited to attain the end desired. That end is self-government. Do we want self-government? It sometimes seems problematical.

Capable men who oppose direct legislation can explain their attitude only on the ground that the people, in their judgment, are not capable of managing their own affairs. Such men are Tories. They have no proper place in the American scheme of government.

If it be held that we have in fact conducted this government for above a century without direct legislation and that we may safely continue "in the path our fathers trod," we would call attention to the fact that in nothing else are we satisfied with the ways of our fathers. They used the ox cart—we don't. Just as we have improved on our father's mechanical appliances, without violence to the principles of mechanics, so it may be possible to improve on governmental machinery without in any way altering the correct principles of government which we inherit.

The principle of the first locomotive is identical with that of the last. The changes have all been in the elimination of defective methods in detail, to the end that the essential principle involved might be more fully realized. Why is it not the part of wisdom to eliminate like defective details in the machinery of our government?

Again, when we remember that for the first time in history self-government on a large scale is attempted in America is it at all surprising that the machinery first installed is defective in detail? Would it not be profoundly astonishing if that machinery were not defective?

Two Theories of Representation.

There are two theories of representative government. One is that we elect superior men to legislative office, whose function is to enact laws, for the regulation of our industrial and police affairs. The other theory is that we elect representatives to legislate in obedience to our wishes, to the end that the people shall rule themselves. Each theory has found support in the thought and practice of the people of the United States. In the beginning State constitutions were short, being usually merely a statement of the bill of rights and accepted constitutional principles. Legislative authority thus but slightly checked became aggressive. Endeavoring to hold the activities of their representatives within proper bounds, the people amended the State constitutions, and quite generally called conventions to draft new constitutions. This practice was repeated until these State charters have grown from 1,000 or 1,500 words to the latest—that of Oklahoma—which is about 60,000 words in length. This whole procedure is evidence of the persistency with which the people struggle for genuine

self-government. For more than one hundred years they have struggled to bring their legislatures into subjection. The means adopted has been a large increase of constitutional limitations. But in addition an increasing number of matters have been made to depend directly on the political action of the people themselves. In most States constitutional provisions are referred to popular vote. In many the people vote directly on loaning public credit, expenditure of money, city charters, granting franchises, methods and rates of taxation subdivision of counties, organization of townships, highway control, public aid to private enterprise, Sunday closing, local option, civil service, direct primaries, and many other matters.

Direct legislation is the principle underlying this latter movement. It is in fact, safe guarding liberty by means of live men, rather than by dead forms.

Representative Government Not a Failure.

We are supposed to possess popular self-government. But in fact the hindrances to its realization are so many as to cause a considerable percentage of our voters to despair. Capable men, who are earnest in their studies and in their efforts to improve existing conditions, are heard to declare that representative government has proved a failure. That these men are hasty is no doubt true; but, on the other hand, the evidence of seemingly almost fatal defects in our governmental machinery is overwhelming.

Why was it necessary to battle so many years in order to secure the interstate commerce commission? Was it not because the people had no means by which they could directly express themselves on that one question? The people must express themselves through representatives, and these have many duties, to engage their attention.

The resulting situation is that the representatives are not under positive command to do any one particular thing—are not even certain as to the desires of their constituencies. These conditions inevitably give to political machines a controlling power, that, among a truly self-governing people, should reside with the voters alone. We have no reason whatever to despair of popular self-government until it shall first have had full and adequate trial under the most favorable circumstances, or in conditions giving the people every opportunity, when in their judgment the need arises, to completely control governmental action.

The intent of our governmental structure is right. Its defects are wholly in the details of administration. These are not of uncertain or

indefinite character, but easily perceived, and as easily understood. So long as city or state legislative bodies may grant a privilege in highways—commonly known as a right-of-way—and the courts continue to declare such grant to be a contract, thus placing it beyond the reach of sovereign States, the people are helpless, unless we secure possession of the machinery for direct legislation.

Why should any man who believes in popular self-government hesitate to claim the right to review legislative action. Does he not know what he desires the legislature or the city council to do? If he does not, why does he vote?

Let us then recognize the very evident fact that the machinery originally installed for the realization of popular self-government is in some respects insufficient for the intended purpose. Let us observe that this insufficiency has been fully overcome by the commonly known and plainly correct methods of customary parliamentary law.

Having arrived at a clear knowledge of the simple remedy for the difficulty, let us demand that it be applied—and at once. We demand the initiative, that we may carry our will into effect when legislative bodies fail or refuse to act. We demand the referendum, that we may resist legislative action when contrary to the popular will.

In other words, we demand the continuance of representative government with optional direct legislation. We want representative government as a mere matter of convenience—but demand direct legislation as our natural and inalienable right.

The Missouri Law.

At the recent election the people of Missouri adopted the initiative and referendum by inserting the following clause in their constitution:

The Legislative authority of the State shall be vested in a Legislative Assembly, consisting of a Senate and House of Representatives, but the people reserve to themselves power to propose laws and amendments to the Constitution, and to enact or reject the same at the polls, independent of the Legislative Assembly, and also reserve power at their own option to approve or reject at the polls any act of the Legislative Assembly.

The first power reserved by the people is the Initiative, and not more than eight per cent of the legal voters in each of at least two-thirds of the Congressional districts in the State shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the Secretary of State not less than four months before the election at which they are to be voted upon.

The second power is the Referendum, and it may be ordered (except as to laws necessary for the immediate preservation of the public peace, health,

or safety, and laws making appropriations for the current expenses of the State government, for the maintenance of the State institutions and for the support of the public schools) either by the petition signed by five per cent of the legal voters in each of at least two-thirds of the Congressional districts in the State, or by the Legislative Assembly, as other bills are enacted. Referendum petitions shall be filed with the Secretary of State not more than ninety days after the final adjournment of the session of the Legislative Assembly which passed the bill on which the referendum is demanded.

The veto power of the governor shall not extend to measures referred to the people.

All elections on measures referred to the people of the State shall be had at the biennial regular general elections, except when the Legislative Assembly shall order a special election.

Any measure referred to the people shall take effect and become the law when it is approved by a majority of the votes cast thereon, and not otherwise. The style of all bills shall be: "Be it enacted by the people of the State of Missouri."

This section shall not be construed to deprive any member of the Legislative Assembly of the right to introduce any measure.

The whole number of votes cast for Justice of the Supreme Court at the regular election last preceding the filing of any petition for the Initiative, or for the Referendum, shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. Petitions and orders for the Initiative and for the Referendum shall be filed with the Secretary of State, and in submitting the same to the people he, and all other officers, shall be guided by the general laws and the act submitting this amendment, until legislation shall be especially provided therefor.

Credit for the adoption of this measure is due to the Missouri Federation of Labor, to the Referendum League of Missouri, and especially to the president of the League, Dr. Wm. P. Hill, without whose large financial assistance, capable leadership, and untiring devotion to the cause of real democracy, the energetic campaign carried forward in Missouri in behalf of the foregoing Constitutional amendment would have been wholly impossible.

The People Act With Moderation.

The acts of the people with the machinery of direct legislation will compare very favorably with the activities of legislatures, as is shown by the following list of measures adopted during the last three elections by the people of Oregon: On June 3, 1902, the initiative and referendum were added to the constitution of the State of Oregon, by a favorable vote of 62,024 for and 5,668 in opposition. The total vote for officers at the same election was 92,920. Thus a trifle over 72 per cent of the total vote was cast on the amendment.

Two years later, 1904, two laws were submitted

under the provisions of the new amendment. One was for the direct nominations of officers by the people, and it was adopted by a vote of 56,205 to 16,354. The other law was for local option in opposition to the liquor interest. The temperance people were successful by a vote of 43,316 to 40,198. The total vote was 99,315, giving slightly over 84 per cent as the vote on the temperance measure.

In 1906 eleven laws were submitted to the people. The vote on equal suffrage was over 84 per cent of the total, and the measure was lost by 36,902 to 47,075. This proposal carried in 10 counties, and lost in 23.

The liquor interest attempted to reverse the temperance vote of 1904, but suffered a more emphatic defeat in a vote of 35,297 to 45,144.

A third proposal was to sell an old road to the State (under the popular cry of public ownership), but an adverse vote of 44,527 to 31,525 defeated the scheme.

An appropriation by the legislature was held up by referendum petition, but the people sustained the legislature by a vote of 43,918 to 26,758.

✓ An amendment of the constitution to enlarge the scope of the initiative and referendum was adopted by 47,661 to 18,751. This carried in every county, as did the six following measures:

✓ A constitutional amendment giving cities and towns power to enact and amend their charters, subject to the State constitution, adopted by a vote of 52,567 to 19,852.

✓ A constitutional amendment for the initiative and referendum on local, special and municipal laws, by a vote of 47,678 to 16,735.

✓ A constitutional amendment allowing the State printing and binding to be regulated by law by 63,749 to 9,571.

A law prohibiting free passes and discrimination by railroad companies and other public service corporations, by 57,281 to 16,779.

An act requiring sleeping car, refrigerator car, and oil companies to pay an annual license upon gross earnings, by 69,635 to 6,441.

An act requiring express, telegraph and telephone companies to pay an annual license upon gross earnings, by 70,872 to 6,300.

On June 1, 1908, nineteen proposals were submitted, in Oregon. Four of these were referred to the people by the legislature; four were ordered by referendum petition, and eleven by initiative petition. Of the whole, seven were defeated and twelve adopted.

The total vote cast at this election was 116,614.

The largest vote cast on any of the nineteen proposals was 95,528; the smallest 70,726.

The four matters referred by the legislature to the people were:

An amendment allowing state institutions to be erected elsewhere than at the seat of government, adopted by 41,975 to 40,868.

An amendment changing time of holding election from first Monday in June to first Tuesday after the first Monday in November, adopted by 65,728 to 18,590.

An amendment allowing increased compensation to members of the legislature, defeated by 68,892 to 19,691.

The four matters ordered by referendum petitions were:

An amendment to increase numbers of members of supreme court, defeated by 50,591 to 30,243.

An act giving sheriff the right to feed prisoners at a per diem rate, adopted by 60,443 to 30,033.

An act requiring railroads and other common carriers to furnish free transportation to certain state and county officials, defeated by 59,406 to 28,856.

An act appropriating \$25,000 annually for four years for State armories, defeated by 54,848 to 33,507.

The eleven measures proposed by initiative petitions were:

An act protecting salmon and sturgeon during certain seasons and from traps, adopted by 46,582 to 40,720.

An act protecting salmon and sturgeon from gill nets in parts of the Columbia river and tributaries, adopted by 56,130 to 30,280.

An amendment permitting the "Recall" after six months in office, adopted by 58,381 to 31,002.

A law directing legislators to follow the popular choice for United States senator, adopted by 69,668 to 21,162.

An amendment permitting proportional representation, adopted by 48,868 to 34,128.

A law against corrupt practices and limiting election expenditures, adopted by 54,042 to 31,301.

A law preventing criminal trial save upon grand jury indictment, adopted by 52,214 to 28,487.

A law creating the new county of Hood River, adopted by 43,948 to 26,778.

An amendment to give equal suffrage defeated by 58,670 to 36,858.

An amendment to allow towns to regulate liquor trade, defeated by 52,346 to 39,442.

An amendment exempting certain forms of property from taxation, defeated by 60,871 to 32,066. This measure was urged by the single taxers.

A Conservative Approval.

Justice David Brewer said in his New York address:

"The two supreme dangers that menace a democratic State are despotism on the one hand and mob rule on the other. . . . The more constant and universal the voice of the people makes itself manifest, the nearer do we approach to an ideal government. The initiative and referendum make public opinion the controlling factor in the government. The more promptly and the more fully public officers carry into effect such public opinion, the more truly is government of the people realized."

Tories everywhere oppose the rule of the plain people. The claim is set up that they are incompetent. So said Charles I, so said Louis XVI. So say all tories today. And yet the world's history bluntly tells the story of meanness, misery and fraud wherever power has been placed with the few, while peace, good will and joy have ever attended those peoples whose governments were equally participated in by all.

JOHN Z. WHITE.

NEWS NARRATIVE

To use the reference figures of this Department for obtaining continuous news narratives:

Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article, on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Tuesday, January 5, 1909.

The Greatest Natural Disaster in Occidental History.

That the Italian earthquake of Monday the 28th was the most disastrous of a century was evident from the first meager reports (p. 14). The magnitude of the catastrophe and the hideousness of the destruction it wrought have become more apparent day by day, until it is now realized that the history of the western world contains no record of so great a cataclysm. The number of the dead, and the amount of property loss, can only in a general way be computed. It is not enough to count fatalities, even in the hundreds of thousands—and they are supposed to reach from 200,000 to 300,000. Nor is it enough to say that two cities and many small towns and villages have been utterly destroyed. An unexampled horror remains in the fact that thousands

and thousands of persons, pinned under ruins, wounded and crushed, scorched by fires, without food, and without water except such as trickled to them from the torrents of rain that fell for ninety-six hours, have been slowly dying throughout a period of eight days. Rescues have been effected, succor has been brought with unsurpassed devotion; but human hands could accomplish but little where the need was so vast and the catastrophe so prodigious.

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The cause of the earthquake seems to be attributed to a slipping at a well-known geologic "fault" between the "primary" and "secondary" rock formations which are the bases respectively of Sicily and Italy. To slipping at this fault is laid the disruption of Sicily from the mainland before history began, as well as the many earthquakes in this region, of historic record.

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At about twenty minutes past five on the morning of the 28th of December, for about thirty-two seconds, the eastern shores of Sicily and the southwest corner of Italy oscillated, first vertically, then with an undulatory motion. The buildings of the large and handsome city of Messina in Sicily, and of Reggio on the Italian shore, crumbled, burying the inhabitants in their ruins. Reggio seems to have been in part swallowed up in yawning abysses. The sea in the straits surged and subsided, swamping vessels and sweeping far up the shores. Neighboring towns and villages on both sides of the straits met with a similar fate to that of the unhappy cities. The disturbed area included a region forty miles around Mt. Etna. The Lipari islands, to the north of Sicily, though not swallowed up as at first reported, suffered from shock and tidal waves; and their volcano, Stromboli, like Etna, is reported to be in new activity. Repeated milder shocks since the first, with repeated tidal waves, have added to the terrors and dangers of the situation; while "torrential" rains have augmented the indescribable misery of the survivors. The following descriptions by eye-witnesses at the time of the first shock give a better idea of what happened than can be obtained from a condensation of many accounts. The captain of the *Afonwen*, a Welsh steamer which lay that morning under steam in the harbor of Messina, thus describes what he saw:

It may have been about 5 o'clock in the morning when I heard a low, growling sound like distant thunder. Daylight had not yet dawned, but I was on deck and the crew were stirring. The peculiar sound made me glance anxiously at the sky and then at the sleeping town of Messina, neither of which afforded any explanation.

Suddenly the *Afonwen* gave a terrific leap. That is the only word I can use. The ship seemed to