

NOT A CRIME TO CRITICISE THIS JUDGE

A committee of the Wisconsin legislature is engaged in investigating life insurance conditions in that state. J. G. Albright, Wisconsin's state manager for the Union Central Life Insurance company of Cincinnati, the company of which the late Governor Pattison was president, gave testimony showing that a judge of the Wisconsin supreme court asked that the life insurance agent's commission for collection of the premium on the judge's policy be paid to the judge. An Associated Press dispatch from Milwaukee, Wis., tells the story in this way:

The letters were written by Chief Justice Rouget D. Marshall. Justice Marshall late this afternoon vouched for the authenticity of the correspondence. The justice, however, said he thought there was nothing irregular in any of the letters. The original correspondence was produced by Mr. Albright late today.

The letter soliciting the commission for collection is as follows:

"State of Wisconsin Supreme Court, Madison, Wis., October 1, 1902.—Gentlemen: I hold policy No. 232,009 in your company, on which there falls due the 18th day of this month the annual premium, \$671.40. I am not at present advised as to whether I will be obliged to remit to the principal office. Not knowing that you have any agent in this city, and supposing that if you have such agent he has no claims upon you for a percentage for the collection of my premium, I suggest that you send my receipt to the First National bank of Madison, Wis., with a draft attached for the \$671.40 and instruction to deliver the receipt

upon payment of the draft on or before the due date of the premium, and that in such case you permit the bank to take the usual agent's commission for the collection, with permission to pay the same to me.

"My policy came from an agent entirely outside of my circle of business acquaintances. I see no reason, myself, why I can not be permitted to make the payment in the manner suggested, but if there are reasons, of course you will write me suggesting where to send the money. Very truly yours,

"R. D. MARSHALL."

The above letter from Justice Marshall was referred by the home office of the insurance company to State Manager Albright of Wisconsin who, in turn, wrote to his superior officers as follows:

"Milwaukee, Wis., October 6, 1902.

—E. P. Marshall, Secretary Union Central Life Insurance Co., Cincinnati, O.—Dear Sir: I am today in receipt of yours of the third, enclosing a letter from a judge of the supreme court of Wisconsin, Hon. R. D. Marshall, asking that you grant him a rebate upon his renewal premium. When a judge of the supreme court of this state makes an appeal for a rebate and does it direct to the home office, is it not time that there be some elevation in the moral conscience of the people in high places before we can hope for much change for the better among the rank and file on the rebate question? This gives you an idea of some of the difficulties we are obliged to contend with in this state. Respectfully,

"J. G. ALBRIGHT,
"State Manager."

Mr. Albright also wrote to the justice, informing him that a rebate was forbidden by law in Wisconsin. The final answer of Justice Marshall was written to Mr. Albright as follows:

"Madison, Wis., October 14, 1902.—J. G. Albright—Dear Sir: Here is the draft for payment on my policy. I am not unacquainted with the law to which you refer. On reflection you will probably see that there is nothing in the law to prevent your company from paying to any bank any collection charges you see fit. I do not take your letter very seriously. It would not be out of place for your company to establish an agency outside of Milwaukee. Yours,

"R. D. MARSHALL."

"P. S.—Send receipts to Madison, Wis."

"I wrote the letters which were read before the life insurance investigating committee Thursday," said Justice R. D. Marshall over the long distance telephone from his farm in Kilbourne, late this afternoon.

"I wrote, as the letters will show, that the company had no local agent in Madison; that I did not know where to send the money for the premium and submitted to the general office of the company the propriety of allowing me to pay the premium into the bank and receive the usual agent's collection fee back, suggesting that they so direct the bank if it seemed proper to them.

"They evidently did not deem it proper, and I sent the money in full. That is all there is to it. I defy anyone to read into my letter any demand or request for any rebate or

allowance other than the regular collection fee allowed agents who handle premium renewals.

"I submitted the question to the company whether or not it would be proper to allow me such fee in the absence of an authorized agent in the vicinity. It is as plain as the noon-day sun, and no other meaning can be placed on any sentence in any of my letters. I wrote for information and as soon as I got it I acted on it and remitted my premium in full. I added that in my opinion the company would do well to appoint agents at other places than Milwaukee, with the idea that it would tend to convenience collections.

"That is all to the matter."

The disclosures were the subject of conversation very generally today. Impeachment proceedings were hinted at in some quarters, but the members of the investigating committee scoffed at any such proceedings.

"The worst construction that can be placed on the incident," said one of the committee "is that a judge attempted to find a lawful way in which the law might be evaded, and suggested it to the agent. There is absolutely nothing on which any criminal action can be based."

The legislative committee this afternoon wrote a letter to Mr. Albright instructing him to submit to the committee at its next meeting the original correspondence which, of course, contains the signature of the writer. The committee will meet again on July 31.

Justice Marshall was born in 1847, in Nashua, N. H., and came to Wisconsin in 1854. He has been on the supreme bench since August, 1895.

The Commoner & "First Voters"

A Lexington, Ky., Reader writes to The Commoner as Follows:

"I notice that the American Protective Tariff League is sending out circulars which read: 'Kindly give us the name and address, etc., of one person who will cast his first vote in the congressional election of 1906. We wish to forward literature on the subject of protection. Ask your neighbors to co-operate in the work.'

"Now, I suggest that every Commoner reader make it his duty to send to The Commoner office the name of one person who, at the next election, will cast his first vote, then a sample copy of The Commoner could be sent to that person.

"I also suggest that every Commoner reader make it his duty to secure at least one of these 'first voters' as a yearly subscriber to The Commoner. If we can get these youngmen to read The Commoner regularly we need not fear for their political future."

The Commoner hopes that this suggestion will be acted upon by Commoner readers generally. It is important that the "first voters" be impressed with the value of democratic principles in popular government.

In order to encourage the campaign among "first voters" The Commoner will be sent for sixty cents to anyone who is to cast his first vote at the congressional elections of 1906 and whose name, accompanied by the subscription price, reaches The Commoner office prior to election day in November, 1906.

Any one desiring to avail himself of this opportunity must state in his letter that the one in whose name the subscription is forwarded will cast his first vote at the 1906 elections, and is therefore entitled to this rate.

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