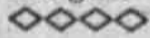


but today it stands for positive and progressive democracy and in 1908 its platform, its candidates and its organization will be such as to appeal to the conscience and judgment of the reform element of the country. If the democratic party ignores its greatest opportunity and disappoints loyal democrats the Independence League will grow rapidly, but if the democracy does what it ought to do—and The Commoner believes that it will—the members of the Independence League are likely to be found supporting the democratic ticket just as the members of the populist party supported the democratic ticket in 1896 and 1900.

In the meantime democratic papers should treat Mr. Hearst and the new party as an ally rather than as an enemy. We are going in the same direction even though we march under different banners, and there ought to be no quarrel so long as we are trying to "cast out devils," although we invoke the name of democracy while Mr. Hearst and his associates invoke the name of the Independence League.



#### THE CONSTITUTION SUPREME

Secretary Root and Senator Beveridge seem to agree with the president that the constitution of the United States is rather an insignificant thing when it runs up against a treaty. They argue that a treaty is superior to the laws and constitutions of the several states, but they overlook the fact that a treaty is unconstitutional if it violates the constitution of the United States and an unconstitutional treaty is not binding. The president and the senators are sworn to support the constitution of the United States and if they ignore the provisions of that constitution so much the worse for them. Suppose the president and senate should join in a treaty providing that no American could avail himself of the writ of habeas corpus if arrested on complaint of a foreigner residing in this country, would such a provision be upheld by the courts? Suppose, then, that the president and senate agree to nullify the constitutional amendment giving the state control of their local affairs, would that be upheld by the courts?

If our federal constitution can only be amended by the concurrence of two-thirds of both houses of congress and three-fourths of the states, or by the concurrence of three-fourths of the states in an amendment submitted by a constitutional convention can that constitution be overridden by the president and senate without the approval of the popular branch of congress and without consulting the several states? If the courts hold that the constitution is not binding on the treaty making power it will be time for a constitutional amendment giving some constitutional strength to our constitution.



#### OF COURSE

William A. Brewer, former president of a New York insurance company, who has been indicted for making false official statements concerning his company's affairs, has offered to plead guilty, providing he can escape with a fine. His friends explain that Brewer is "unwilling to accept a prison sentence."

What man is "willing to accept a prison sentence?" Of course every rich rascal would be glad to escape with a fine. Every trust magnate in the country would be willing to pay fines regularly if he could escape a prison cell, and at the same time be undisturbed in his plans for preying upon the people.



#### WHERE DOES MR. TAFT STAND?

Congressman Longworth of Ohio says that Secretary Taft is the proper man to "carry to completion" the reform work undertaken by President Roosevelt, and it has been announced semi-officially that the president, himself, desires the secretary's nomination. The question that naturally arises is: For what reforms does Secretary Taft stand?

How far does he go on the subject of railroad regulation? Is he satisfied with the present law which the railroad republicans of the senate forced the president to accept? (The president could have secured a better law by accepting democratic aid, but he compromised in order to make it seem a republican measure.) Is Secretary Taft in favor of the LaFollette amendment (which the republicans of the senate voted down) authorizing the interstate commerce commission to ascertain the value of the railroads? Is he in favor of legislation which will prevent the watering of stock and the issue of fictitious capitalization? Will he speak out on these questions and define his position, or will he have his conservative supporters reassure the railroads while the president rounds up the radical republicans for him? If he becomes president he will have the appointment

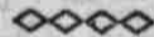
of interstate commerce commissioners; will he appoint men who sympathize with the railroad magnates or men who sympathize with the patrons of the roads?

Where does he stand on the trust question? Is he against the principle of private monopoly or does he believe merely in trying to regulate monopolies? Does he believe in enforcing the criminal law against trust magnates? And is he satisfied with the enforcement of the law against just a few of the trusts?

How about the income tax? Does he endorse the president's position on that question? And does he regard swollen fortunes as a menace? Is he for arbitration of labor difficulties? What does he think now of government by injunction? Is he still an imperialist, or does he accept the American theory that governments derive their just powers from the consent of the governed? Is he willing to take the people into his confidence or does he expect to secure the nomination without disclosing his position, and then run on an ambiguous platform? Has he faith enough in his own principles and in the people to make an open, honest fight for definite reforms?

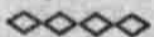
Where does Secretary Taft stand? What does he stand for in the way of reforms? President Roosevelt's platform said nothing about reforms in 1904 and the president himself gave no intimation of reform tendencies until after the election. Will Secretary Taft follow the president's example and fool the big corporations or will he follow the example of several other presidents and fool the people?

He should speak now or forever after hold his peace.



#### TREASON

The New York Press is a republican paper, but it has already incurred the displeasure of the republican leaders, and will yet be read out of the party unless it reforms, for this is a sample of what the Press is saying these days: "This is not likely—that the Standard Oil company will be fined \$30,000,000 under the conviction at Chicago on 1,463 counts of an indictment for violation of the Elkins anti-rebate law. But suppose the court does inflict the maximum penalty, will any reasoning being believe that the oil monopoly will be destroyed or even seriously injured by the sentence? John D. Rockefeller, who says he is only a small holder of Standard stock, can give away far more than \$30,000,000 a year. The Standard Oil company will continue to monopolize the oil business, and to extend its insidious influence into every form of American activity, until the members of the conspiracy in restraint of trade are branded with the mark of the criminal and put under lock and key."



#### SENATOR BEVERIDGE'S MISTAKE

Senator Beveridge discussed an issue which the facts did not raise and his position was directly antagonistic to the platform upon which Abraham Lincoln was elected, for the platform declared: "The maintenance inviolate of the rights of the states, and especially the right of each state to order and control its domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed forces of the soil of any state or territory no matter under what pretext, as among the gravest of errors."

The national bank charter to which Senator Beveridge refers, contradicts rather than confirms his position for it was not urged by the people for the purpose of restraining large moneyed interests; it was, on the other hand, advocated by moneyed interests and has ever since been defended by moneyed interests. Even now the national bankers, not satisfied with the advantage of being banks of deposit, not content even with the profits of a bank currency based on bonds, are urging such an extension of the system as to include the so-called emergency notes which are in fact a part of the asset currency scheme, for which national bankers have been working for years.

Most of the illustrations given by Senator Beveridge are entirely outside of the discussion. I will mention four of these: First, the law forbidding the sending of obscene literature through the mails. The mails are under federal control. The authority that is responsible for the carrying of the mails certainly is responsible for the morals of the service as well as for the actual transportation of the letters and papers. The federal government could not excuse itself if it allowed its agents to be employed in the delivery of obscene literature. The fact that a few persons who made money out of the circulation of such literature attempted to employ the state's rights argument

cannot be used to weaken the force of the arguments employed against real encroachments upon rights of the states.

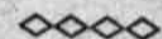
The same may be said of the lottery. The federal government, being responsible for the mails, was the only authority which could act. The states were powerless to interfere with the mails or with interstate commerce, and it is not fair to charge up the sins of the lottery company or the arguments made by its attorneys against those who believe that the line between the state and the nation should be preserved.

Pure food laws and meat inspection are also within the domain of interstate commerce, and the enactment of such laws should not be cited as a reason why the states should be reduced in dignity and influence.

Senator Beveridge refers to the child labor law, for which he stands sponsor. While it is true that the manufacturing interests which oppose this law are hiding behind the "reserved rights of the states," and while it is true that many democrats are opposing the senator's bill, some of them because of the influence of manufacturers employing child labor, and some on theoretical grounds, I think I can speak for a considerable element of the democratic party when I say that the senator's bill does not in the least trespass upon state rights.

The power of congress over interstate commerce is complete. This power is not only complete, but its exercise is necessary, the various states being impotent when it comes to matters of interstate commerce. I have given to Senator Beveridge's bill whatever support I could. It is right in principle; it is necessary, and it does not interfere with the reserved rights of the states. It permits each state to regulate its own affairs insofar as its action affects state commerce only, but the bill recognizes the right of congress to determine the conditions upon which merchandise shall enter interstate commerce. The principle embodied in the senator's bill is a most important one. At this time he is applying it to goods produced by child labor; more than six years ago the democratic platform demanded the application of this principle to the trust question. I had this principle in mind when in my former article I said it is not necessary to interfere with the rights of the states in order to enact measures necessary for the annihilation of the trusts.

Senator Beveridge should be given credit for his championship of the cause of the children, and I wish him every success in his effort to secure the passage of the Beveridge bill. I have been glad also to note his advocacy of several other needed reforms, and I regret that he does not recognize as clearly as I think he should the importance of the state's position in our political system. The state and the nation are both necessary—the nation for the protection of the people from without and for that work which all the people must do together; but the state must continue to be the champion of the home, the school, the community and the local interests which are best understood by the people of each community and best defended by those who understand the conditions to be met.



#### HARRIMAN THE "UNDESIRABLE"

Is there a politician in America, other than President Roosevelt, who would have the courage to link together the names of Harriman, the railroad king, and Moyer, Haywood and Debs, the labor leaders, as types of undesirable citizens? Mr. Roosevelt has done just that, but would Senator Foraker, Senator Aldrich or Senator Spooner on the one side, and Senator LaFollette, W. J. Bryan or Mayor Tom Johnson on the other dare to make such a comparison and risk the consequences of offending in one sentence the representative of the most powerful aggregation of capital, and the representatives of a great section of organized labor on the other?—Wall Street Journal.

Unquestionably Messrs. Foraker, Aldrich and Spooner would not intimate that Harriman is an "undesirable citizen;" and evidently Mr. Roosevelt would not have done it in 1904 when he was accepting Harriman's money as contribution to the Roosevelt campaign fund.

With all of their kindly feelings for Mr. Roosevelt, the American people can not overlook the fact that he did not call Harriman "undesirable," until after the Harriman letter was made public.

It doesn't require extraordinary courage for a powerful man to place a brand upon men who are behind the bars, although many people have questioned, and many people will question, the propriety, or the fairness, of an attack made by the president of the United States upon men who are about to undergo trial for their lives. There is a suspicion abroad that Mr. Roosevelt's latest