

epistle on the Moyer-Haywood affair was a desperate effort to make the best of the very bad situation in which Mr. Roosevelt plunged himself, when he dragged the names of the imprisoned labor leaders into the Harriman controversy.

The less Mr. Roosevelt's friends say about this sorry affair the better.

It is probably true that neither Senator LaFollette, Mayor Johnson or Mr. Bryan would have "linked together the names of Harriman, the railroad king, and Moyer, Haywood and Debs, the labor leaders, as types of undesirable citizens."

It is also probably true that neither LaFollette, Johnson or Bryan would have been willing to be elected to an office of trust in a campaign financed by the railroad king, who was "My Dear Mr. Harriman," while he was raising funds for Mr. Roosevelt's campaign, only to become the "undesirable citizen" after his letter, complaining of the ingratitude of princes, had become public property.



### OREGON'S "BIG STICK"

The St. Louis Globe-Democrat, republican, says: "Mr. Bryan's new paramount issue is the initiative and referendum. Oregon has these devices in its constitution, but considers them a failure. The word 'practical' seems to be missing in the Bryan list."

But Oregon does not "consider them a failure."

For up-to-date information on this point, read the May issue of the Pacific Monthly, a magazine published at Portland, Ore. In that number the story of the initiative and referendum is told by Lute Pease, a well known western writer.

Announcing the Pease article, the Pacific Monthly management says: "The initiative and referendum is the law which has placed the staff of Oregon in the very forefront of political progress—that has changed the form of government from a representative government to practically a pure democracy—and that has made corrupt machine politics impossible by vesting in the people the power of absolute self government."

Does that sound as though Oregon "considers them a failure?"

Following is an extract from the Pacific Monthly's announcement of the Pease article, which is printed under the title, "Oregon's 'Big Stick.'"

Oregon complacently confronts the pessimists of the republic with startling statements somewhat as follows:

If our representatives do not represent us, we have power to force them to do so.

We can reject any law that we don't want, or ourselves enact any law that we do want.

We have knocked out the boss and the machine.

We have just elected two United States senators in twenty minutes without "boodle or booze or even a cigar," and our legislature has just completed a session of extraordinary activity, untainted by any charge of corruption. \* \* \*

"And for such achievement the state and the United States at large may give thanks for the persistence of a small coterie, once laughed at by politicians as 'pops,' 'cranks' and 'visionaries' led by a 'dreamer'—W. S. U'Ren."

It can truthfully be said that no subject of greater interest, of greater moment to the people of the entire country, has ever appeared in our national press. Let us hope that every believer in our national slogan, "A government of the people and for the people," may read the story of western freedom and success, and that it may be the seed which falls, not on stony ground but in fallow fields to sprout and spread throughout our nation.

The Pacific Monthly published at Portland, Ore., ought to be as well informed upon Oregon affairs as the Globe-Democrat, published at St. Louis. And according to the Pacific Monthly, Oregon does not consider the initiative and referendum a failure. On the contrary it regards it as the "big stick" with which the public interests may be protected.



### THE PRIMARY PLEDGE

As this copy of The Commoner may be read by some one not familiar with the details of the primary pledge plan, it is necessary to say that according to the terms of this plan every democrat is asked to pledge himself to attend all of the primaries of his party to be held between now and the next democratic national convention, unless unavoidably prevented, and to secure a clear, honest and straightforward declaration of the party's position on every question upon which the

voters of the party desire to speak. Those desiring to be enrolled can either write to The Commoner approving the object of the organization and asking to have their names entered on the roll, or they can fill out and mail the blank pledge which is printed on page 14 of this issue.

A. W. Miller, Hartland, Me., sends three primary pledges.

J. C. Jones, Kanorado, Kan., sends ten primary pledges.

Sam James, Cornet, N. C., writes: "Please find primary pledge. It is a great pleasure for me to sign this pledge, as I am in accord with Mr. Bryan's views. Hope you will continue the good work."

S. S. Beggs, Echo, Wash., writes: "Inclosed find forty-two signatures to The Commoner pledge. I have sent blanks to various parts of the county that I think will be heard from later. Wishing The Commoner and democracy success, I am sincerely yours until reform democracy prevails."

Anton Peters, Danville, Ill., writes: "I am hereby sending this coupon with my signature with address as a pledge to vote the democratic ticket once more and supporting your party as I have done every time you was running for president on the democratic ticket."



### IS THIS CALAMITY?

The Central Law Journal, published at St. Louis prints this somewhat remarkable editorial:

"Due process of law is government itself. This being true it necessarily follows that the power of the president of the United States to appoint federal judges, is the greatest function of his exalted office; when this function is in any degree departed from, to that extent the president shirks his greatest responsibility. Political custom has been ushered into the secret places of the most high, and THE RESULT IS A PROSTITUTION OF ONE OF THE MOST SACRED PROVISIONS OF THE FEDERAL CONSTITUTION. This has come about by gradual process, until the evil has become so entrenched, that even the big club of the president will have to be wielded with tremendous force to drive this custom to Hades, where it came from, to undermine the most important function of our government. The constitution of the United States came from the people; it is vox populi. To allow senators and congressmen to pay their political debts, by permitting them to select the federal judges, we say, is nothing short of the prostitution of the most important function of the presidential office. So long as we have good and learned men, in the seats of the federal judges, the nation will be safe for upon them depends the due process of law. THERE WAS NEVER A TIME WHEN THE IMPORTANCE OF HAVING GOOD AND LEARNED MEN ON THE FEDERAL BENCHES NEEDED EMPHASIZING MORE THAN THE PRESENT. THERE NEVER HAS BEEN A TIME WHEN THE MATERIAL SELECTED, AS A GENERAL RULE, WAS WORSE. This is a matter so generally recognized by the members of the bar that it is not necessary to cite cases. We find the worst situations in the territories. It is true that there are many good federal judges, but these do not make up for the poor material found in many other places. We can only judge of the value of a custom by comparing its good and bad results. The results on the whole are so bad, there should be no hesitation on the part of the president in taking upon himself the whole responsibility of seeing to it that the right kind of material is selected for the bench. In the case of the election of judges the people must be instructed as to the importance of having well trained men for these most responsible positions. The greatest lack of foresight is shown in the provision in the constitution of Oklahoma regarding the salary for the supreme judges. It provides \$4,000 a year and the result is that those best able to hold such positions can not afford to give up their practice to take them. But if the president of the United States has lost sight of his greatest responsibility and does not seem to appreciate the great need of giving the most careful and thoughtful consideration to the appointment of the federal judiciary, is it strange that the people should not see the importance of selecting and providing the means which will enable them to acquire the best ability to be had?"

"There is no surer way of undermining the foundations of a republic than to leave such appointments to politicians, who use the confidence reposed in them to pay off political obligations, or give the office to some relative who is wholly incapable of filling the office, and when such abuse and even worse abuse is applied to the federal judiciary we have the greatest possible menace to the foundations of our government.

"With what fearful force comes the language

of Mr. Justice Grier, in the case of Marshall vs. Baltimore & Ohio Railroad company, 16 How. 1. c. 335 (57 U. S.), and what a picture of existing conditions. 'Influences secretly urged under false and covert pretenses must necessarily operate leteriously on legislative action, whether it be employed to obtain the passage of private or public acts. Bribes in the shape of high contingent compensations, must necessarily lead to the use of improper means and the exercise of undue influence. Their necessary consequence is the demoralization of the agent who covenants for them; he is soon brought to believe that any means which will produce so beneficial a result to himself are 'proper means;' and that a share of these profits may have the same effect of quickening the perceptions and warming the zeal of influential or careless members in favor of his bill. The use of such means and such agents will have the effect to subject the state governments to the combined capital of wealthy corporations, and produce universal corruption, commencing with the representative and ending with the elector. Speculators in legislation, public and private, a compact corps of venal solicitors, vending their secret influences, will infest the capitol of the union and every state, till corruption shall become the normal condition of the body politic, and it will be said of us as of Rome—'Omne Romae venale.'

"Unless the presidents of the United States rise to this responsibility the whole federal judiciary will be under the influence of the money powers. The salvation of the nation depends upon the kind of men who are given the responsibility of duly administering its laws. The importance of great laws was shown in our last week's issue in the quotation from the Antigone of Sophocles, and the maxim *Lex non exacte definit sed arbitrio boni viri permittit*. Great and good men will make and enforce great laws; and these 'make a state.'

The Central Law Journal says: "There was never a time when the importance of having good and learned men on the federal benches needed emphasizing more than the present. There never has been a time when the material selected, as a general rule, was worse." It will not be necessary for the president to use "the big club" to bring about a reform in this respect. Let the president refuse to appoint inferior men or corporation henchmen; let him insist upon the nomination of men whose public and private record will bear the closest scrutiny. If the appointments are bad the president is to blame.



### INFORMATION WANTED

W. R. Gray of Wylie, Texas, desires to learn of the whereabouts of his son Jeff Gray. When last heard from he was working at a restaurant in Manitou, Colo., and then spoke of joining the army. He is eighteen years old, five feet ten inches high, weighs about 175 pounds, has dark brown eyes, and black hair. His parents fear that some violence has befallen him and will be thankful for any information.

C. A. Phillips of Alderson, Mo., desires information as to the whereabouts of James C. Phillips, a native of Greenbrier county, W. Va., and a soldier in the union army. He is about seventy-six years of age.

### SPRING WAKING

A Snowdrop lay in the sweet, dark ground.  
"Come out," said the Sun, "Come out!"  
But she lay quite still and she heard no sound;  
"Asleep," said the Sun, "no doubt!"

The Snowdrop heard, for she raised her head.  
"Look spry," said the Sun, "look spry!"  
"It's warm," said the Snowdrop, "here in bed."  
"Oh, fie!" said the Sun, "Oh, fie!"

"You call too soon, Mr. Sun, you do!"  
"No, no," said the Sun, "Oh, no!"  
"There's something above and I can't see through."  
"It's snow," said the Sun, "just snow."

"But I say, Mr. Sun, are the robins here?"  
"Maybe," said the Sun, "maybe;"  
"There wasn't a bird when you called last year,"  
"Come out," said the Sun, "and see!"

The Snowdrop sighed, for she liked her nap,  
And there wasn't a bird in sight,  
But she popped out of bed in her white night-cap;  
"That's right," said the Sun, "that's right!"

And, soon as that small night-cap was seen,  
A robin began to sing,  
The air grew warm, and the grass turned green.  
"Tis spring!" laughed the Sun, "'tis spring!"

—St. Nicholas.