

the publication of contributions before the election, but postpones publication of expenditures until after that time. I confess I see no reason why, if contributions are to be published before the election, expenditures should not also be published. I think that the character of expenditures is quite as important as the character and source of the contributions. I don't know of any election law, either in this country or abroad, which requires the publication of contributions or expenditures before the election. The law of Nebraska on this subject only requires the publication of contributions and expenditures after the election. This was the law which the democratic managers in 1904 in Nebraska so flagrantly violated by failing to return the receipt of \$15,000 from Mr. Thomas F. Ryan.

"The most drastic law in this country on the subject is that of New York, which also makes the time for publication after the election.

"The proper object of a publicity-law is to prevent the use of money for bribery and other improper purposes in elections and to enable the law officers of the government and the public to determine whether the contributions made were properly expended for legitimate purposes. The requirement that the names and amounts of the persons contributing should also be shown is for the purpose of enabling the public and the prosecuting officers of the government to judge whether subsequent official action has been improperly affected in favor of the contributors by the successful candidate. This can all be accomplished by publication after the election. The chief objection to the publication of contributions before the election is that it makes certain that in the heat of the controversy the motives of those who contribute to pay the legitimate expenses of the campaign will be misconstrued, perverted and misrepresented. The candidates in whose behalf the contributions are made will be charged in a most unfair way as being completely under the control of those who make the contributions. It is entirely natural and proper that men who are able to contribute and who are deeply interested from patriotic motives and from motives of a desire to continue the general prosperity should contribute to the party whose administration of governmental affairs is likely to be in accord with their views of proper government. It is not good policy to discourage those who desire to contribute to the legitimate purposes of the campaign from so contributing by exposing them to the bitter diatribes or unfair attacks or slanderous condemnation of partisans in an electoral fight. After the election is over and the expenditures and contributions are published, the temptation to misrepresent the motives of the donors will largely be minimized, and the public may then arrive at a just conclusion with respect to the matter. Nothing could more forcibly support this view than the illustration furnished by the attacks now made on Mr. Hughes in which he is charged with being an agent and creature of the trusts and financial institutions of Wall Street because among the contributors to the fund expended in legitimate ways during his election for governor were some wealthy men prominent in Wall Street.

"There is no man in the country who has demonstrated more completely his entire freedom from corporate control than Governor Hughes, by his administration of state affairs; and yet for partisan purposes and without the slightest evidence except the contributions, Mr. Bryan refers to him as being completely under trust influence.

"A rigid law requiring the publication in detail of contributions and expenditures within ten days after the election, so that the public may know where the money came from, how much came, how much was expended and for what it was expended, is all that public policy requires. The publication of such contributions will make the successful candidate most careful in deciding questions in which contributors may subsequently have a personal interest, in order to avoid any inference of improper influence thereby. The known publicity to be given to contributions after the election will greatly reduce the probability that a contribution will be made for the purpose of seeking privileges or favors at the hands of the candidate and tends to secure practical purity of motive in the making of such contributions.

"Mr. Bryan looks rather to the publication of such contributions for platform purposes and reference, than to the main purpose of a publicity law which is to secure the public against bribery in election and the improper influencing of official action."

MR. BRYAN'S REPLY TO MR. TAFT

On Thursday evening, October 1, at Lincoln, Neb., Mr. Bryan gave out the following statement:

I am surprised to find that Mr. Taft endorses the president's views on the subject of publicity as to campaign contributions, but since he holds these views, I am glad that he makes them known now. We now have publicity before the election as to his opinion even if he does not believe in publicity of contributions until after the election. He fails to see the difference between the publication of contributions before election, and the publication of expenditures before election. The publication of expenditures is required to show whether corrupt methods have been employed in the election, and as the expenditures continue up to the close of the polls, it would be impossible to make a complete publication until after the election; the main reason for the publication of contributions before the election is to show the public the sources from which the contributions come in order that the public may know which party predatory interests are supporting. Every one who knows human nature knows that the element of gratitude must always be considered in human affairs. Ingratitude has been described as a worse sin than revenge, for ingratitude repays good with evil while revenge only repays evil with evil. Every disinterested voter knows that large contributions have been used to secure mortgages upon officials. The publication of contributions throws a great deal more light upon the influences at work in politics than the publication of expenditures, for the publication of contributions shows to whom the party is indebted and to whom repayment is likely to be made, while the publication of expenditures shows what has been paid out, and disbursements do not create obligations that affect the course of the administration.

Mr. Taft says that "the proper object of a publicity law is to prevent the use of money for bribery and other improper purposes in elections and to enable the law officers of the government and the public to determine whether the contributions made were properly expended for legitimate purposes." And he adds: "The requirement that the names and amounts of the persons contributing should also be shown is for the purpose of enabling the public and the prosecuting officers of the government to judge whether subsequent official action has been improperly affected in favor of the contributors by the successful candidate." This, he says, can all be accomplished by publication after the election. He then proceeds to indorse the position taken by the president, declaring that "the chief objection to the publication of contributions before the election is that it makes certain that in the heat of the controversy the motives of those who contribute to pay the legitimate expenses of the campaign will be misconstrued, perverted and misrepresented."

"The candidates," he also insists, "in whose behalf the contributions are made will be charged in the most unfair way as being completely under the control of those who make the contributions."

Here he makes the same charge that the president does, the astounding charge—that the voters are so liable to be misled that the knowledge must be kept from them. I insist that it is an insult to the intelligence of the voter, and it does little credit to Mr. Taft's judgment of the men to whom he is making his appeal. Mr. Roosevelt may have made his statement thoughtlessly and on the impulse of the moment, but Mr. Taft brings the same indictment against the voters with deliberation and after he has read a criticism of the president's views. Is it fair to charge, therefore, that Mr. Taft is either expecting to receive contributions which would arouse just suspicion among an intelligent people, or contributions which, if known, would arouse an unjust suspicion among a people too ignorant to form a correct judgment upon the facts. This is an evasion which he can neither retract nor excuse. It can only be explained by a consciousness that republican campaign methods will not bear the light and that it would be dangerous to his party if the public knew before the election what he promises to make public after the election.

His subsequent argument that the publication before election of the names and amounts contributed would "discourage those who desire to contribute to the legitimate purposes of the campaign" by exposing them to the bitter diatribes or unfair attacks or slanderous condemnation of partisans in an electoral fight"

ought to have little weight when it is considered that such publication will be efficacious in discouraging those who now desire to contribute to illegitimate expenses and for the purpose of putting officials under obligations to them. While publication after the election may enable us "to judge whether subsequent official action has been improperly affected in favor of the contributors by the successful candidate," this is of very small value compared with the benefit to be derived from the publication of contributions before election. The people have a right to form their own opinion as to the influences which are at work. They do not need a guardian to protect them from the misuse of the knowledge which they may acquire, and they ought not to be required to employ detectives to find out what the officials are doing after the election. Mr. Taft knows that a great many matters come before executives and legislators where it is difficult, if not impossible, for the average voter to investigate the facts. The people have a right to know in advance of election whether those with special interests to look after are contributing sums larger than public spirit, patriotic motives and general interest would explain. If, for instance, a candidate for governor is likely to have to pass upon railroad legislation, the people have a right to know whether men largely interested in preventing railroad legislation have contributed liberally to his campaign fund. If a man aspires to an office in which, if elected, he will have to pass upon anti-trust laws, it is only right that the public should know to what extent the trust magnates are financing his campaign. And so if a man is a candidate for office which brings him into official connection with tariff legislation it is proper for the public to know whether he will be so obliged to the beneficiaries of a high tariff as to be embarrassed when he attempts to protect the consumer.

Mr. Taft misrepresents what I have said in regard to Mr. Hughes. I called attention to some of the contributions that were made to Mr. Hughes' fund, and in view of the fact that Mr. Hughes attacks the remedies without advancing any remedies of his own, and in view of the further fact that this testimony was quoted by the president against me I asked the president whether he thought that these contributions by trust magnates would lessen or increase the weight of Mr. Hughes' testimony on the subject of trusts. It will not do for Mr. Taft to put Mr. Hughes upon a pedestal and claim for him immunity from criticism. It is not necessary for me to pass judgment upon Mr. Hughes or upon what he has done in order to pass judgment upon the question under discussion. He is only human and was one of "the allies" before the Chicago convention. We assume that public officials will be honest, and yet we require bonds of those who handle money, no matter of what character they may be. The law will not permit a judge, a juror or an official to accept a gift, if the gift is from one who has an interest in the official action of the official, and in forbidding this the law does not ask as to the character of the official. The law is based upon human nature and human experience, and it is not necessary to furnish specific proof of special weakness in the man who receives the money, or to prove that his decision was in any manner affected by the gift. No scales have yet been invented for the accurate weighing of the reasons which enter into an official's decision.

It is only fair, however, to assume that in using Mr. Hughes' case as an argument, Mr. Taft means to say that he will not object to contributions from trust magnates, railroad magnates and tariff beneficiaries, no matter how much those contributions may be, even though he may, if elected, be compelled to pass upon questions where their demands may be on the one side and the interests of the general public on the other. He must not complain if he finds that many republicans of the rank and file will differ from him on this subject, for the average man will judge aspirants for office by the rules applied to average men. Common sense and the universal judgment are against Mr. Taft's position, and against the arguments which he advances in its support.

After giving out the above statement, Mr. Bryan referred to Mr. Taft's statement that Thomas F. Ryan contributed \$15,000 to the Nebraska campaign fund in 1904, and said: "This has been denied, but I assume that he has taken the statements of some of his republican advisers without taking time to verify those statements. Mr. Ryan did not contribute any money to the Nebraska campaign fund. The