

A Nebraska Republican Paper's Plain Talk

The democratic and populist nominees for justices of the Nebraska supreme court are John J. Sullivan, James R. Dean and B. F. Good. The Lincoln Star, a republican paper, in its issue of October 12 calls upon the people of Nebraska to elect Judges Sullivan, Dean and Good. The Star's editorial follows:

Throughout the country there is a growing conviction that our courts and our schools should be taken out of politics. So strong is this feeling that the commendable reform has been accomplished in nearly every city insofar as the schools are concerned. In few places do party politics and factionalism cut any figure in the election of school directors and in the administration of school affairs.

This is as it should be and is but further evidence that we are progressing, moving forward rapidly along common sense lines and beginning to reach the point in government when our public affairs will be handled with a view of getting the best results.

Of as great or greater importance is the problem of our judiciary. For several years the most enlightened thought has been for the elimination of party politics in the selection of court judges. It has come to be quite generally recognized that, primarily, the particular party brand carried by the candidate for a judgeship has little bearing on the question of his qualification for the office to which he aspires. It has been further demonstrated that when partisan lines are drawn in the nomination and election of judges the resulting court is apt to be prejudiced—honestly or otherwise—when questions affecting the interests of his party come before him for adjudication. North, south, east and west we have beheld the disgusting spectacle of courts nullifying good laws, enacted under the spur of public demand, simply because the party which put them into operation was opposed to the party of which the deciding court happened to be a member. In fact, it is such outrages that have caused the present widespread demand for a non-partisan or bipartisan judiciary.

Here in Nebraska this year we are confronted by this issue. Before deciding whom we shall elect to the three vacancies on our supreme bench it would be well for us to consider this non-partisan idea and to review its history in Nebraska. It will be recalled that a republican legislature in 1907 offered an amendment to the people increasing the number of supreme judges from three to seven. At that time there was much discussion of the non-partisan theory as applied to courts and the best evidence indicated that the voters of the state desired to put the system into operation. A republican governor pledged himself to give the democrats an even break when he made the four additional appointments, and at the 1908 election all hands turned out and worked for the amendment, with the result that it carried by about three to one.

Incidentally, the republican governor was defeated for re-election, and when it came time for him to make his four supreme court appointments he named three republicans and one democrat, the latter for one of the two one-year terms.

Naturally, democracy felt somewhat grieved, so, in the next legislature, which happened to be democratic, a bill was passed creating a non-partisan judiciary. This measure provided for the nomination and election of judges without regard to party. It is the most direct evidence we have concerning the desire of the people of the state for this judiciary system, and in the absence of any other proof it must be accepted as the voice of the masses raised in protest against a continuance of the old party court plan and in favor of the more enlightened, businesslike method.

In short order the non-partisan law was attacked by the friends of the republican leaders and was declared unconstitutional by a republican supreme court. The question whether the law was actually unconstitutional or was invalidated for selfish reasons is one for lawyers, and not laymen, to determine. However, the fact remains that the people, through their representatives in the legislature, expressed a desire for a non-partisan court. This furnishes excellent argument for the election of the three democratic candidates for supreme judges at this time, provided they are as well qualified to perform the duties of office as their republican opponents.

If the state really wants a non-partisan or bipartisan supreme court, it is in position to get

it this year. The supreme court is now composed of six republicans and one democrat. The latter is a candidate for re-election, so if he and the other two democrats are chosen for the offices the division of the court will be four republicans to three democrats, still leaving the republicans the majority. It seems but logical that the people—if they are anxious to have a court divided between the two major parties—should vote for the three democratic nominees, other things between the republican and democratic candidates being equal.

Without casting reflection upon the abilities of the three republican candidates in any way, it may be said that the democrats who have been selected for the positions are at least the peers of the republicans. They are upright gentlemen whose abilities as jurists have been tested. If elected to the supreme court they may be depended upon to perform their duties intelligently, capably and honestly.

Senator Aldrich is in the Saddle

That President Taft has entered into an alliance, offensive and defensive, with Speaker Cannon and Senator Aldrich; that the three will stand and fight together in behalf of a comprehensive legislative program; that, because of the tremendous powers they wield and the great interests, political and financial, that are backing them, they will be able to ride down the "insurgents" in congress and crush any plot for the return of Roosevelt to the presidency—these are the conclusions reached by the trained newspaper men who are with the president on his trip, as well as by others in Washington. They are conclusions based not only on close contact with the president himself, but on his public utterances which, for the past several weeks, have all tended strongly to prove a community of interests between the president and the Aldrich-Cannon element of his party.

The Washington correspondent of the New York Herald sends his paper an interesting dispatch, in the course of which he says:

"The information from all sections of the country is that President Taft is accepted everywhere as the leader of his party; that he is in entire harmony with the organization of the house; that he is working with Senator Aldrich and the other republican members of the monetary commission for currency reform, and that, instead of being at daggers drawn with Speaker Cannon, he has had a full understanding with him, and that all the elements which passed a tariff bill despite the opposition of Representative Parsons and other republican insurgents are prepared to stand together for a successful session of congress, which begins in December. * * * The feeling is that the Cannon organization will hold control of the house, that the speaker and the president will act together, and that the republican party in the saddle will be just as able to frustrate the efforts of the insurgents next winter as they were this summer."

The Chicago Tribune, in order to get at the facts as nearly as possible, wired two well known correspondents who are accompanying the president on his trip, and who are known to enjoy his friendship. It asked them for their uncolored and unbiased views of the situation. Mr. Fowler, of the New York Sun, wiring his reply at length, said in part:

"Out of it all the one thing that stands conspicuous is the fact that the president has joined hands with the Aldrich-Cannon machine, in the belief that through it he will be able to place on the statute books the program of legislation to which he stands committed. * * * Mr Taft's friends, who are certain Senator Aldrich will be found behind the president in the proposed amendment of the Hepburn rate law and other important bills, point to the senator's stand in the last session in favor of the corporation tax and the income tax amendment. Whatever may be the disposition of the insurgents in regard to the tariff, their hands will be tied in congress so long as the Aldrich-Cannon combination is in power, but the president's supporters are counting on the force of the tariff movement in the middle west being spent before the congressional campaign next fall."

Mr. Dunlap, of the New York World, sent a report that was practically identical with that

of the Sun correspondent. We quote a paragraph or two:

"Men who presume to explain Mr. Taft's position say he has accomplished wonders with Mr. Aldrich and that Mr. Aldrich will carry out faithfully and earnestly the Taft policies. The tariff is to be lost in contests over inter-state commerce legislation, the revolution in our monetary system, conservation, and the Sherman law amendments. Prosperity is counted on to help put the tariff on the shelf."

"Cummins, LaFollette, and the public, are expected by these men to talk a lot and perhaps to introduce bills for further tariff revision, but it is pointed out that, with the president and the republican machine in congress working together, the mouths of the insurgents will be shut and their hands tied. That is the present plan. It does not take into consideration the coming election of a new congress, publicity and argument, nor the people generally."

Taft, Aldrich and Cannon. These are the all-powerful triumvirs. Acting together they are thought big enough to stifle the voice of protest, inside congress and outside, and use the republican party as a machine to accomplish certain definite ends.

Those ends have already been outlined by the president himself. They include a central bank of issue, a shipping subsidy, the weakening of the interstate commerce commission by scattering its duties and powers, the pulling of the teeth of the Sherman anti-trust law, opposition to the income tax except in time of war, and no further tariff legislation during the present administration. It is reported, too, with the consent of Mr. Wickersham himself, that the attorney general is now at work on a national incorporation law, which will deprive the several states of all control over interstate commerce corporations, and vest such control exclusively in the federal government.

Progressive republicans in Massachusetts think so little of this triumvirate and this program that they have entered openly into alliance with the democratic party, hoping, by an emphatic "vote of protest," to show that the spirit of Rooseveltism has not yet departed from their party, and that it must be reckoned with if the party is to succeed.—Omaha World-Herald.

Practical Tariff Talks

It is true that there are reductions in the new tariff, but the merest tyro in tariff study should understand that while an increase in a tariff rate almost invariably means an increase in the market price of the article, a reduction does not necessarily mean a decrease. This is because the increased tariff is asked for the express purpose of raising the price, while in the case of the article upon which there is a reduction the old tariff may have been unnecessarily high. An article is manufactured to sell, and if the price represents the full amount of the tariff plus the price of the foreign-made article it may curtail its use. Thus trade necessity may compel a less price, one that can be safely made because the tariff is prohibitive and keeps out foreign competition. To illustrate, if the home price represents but 50 per cent added to the foreign manufacturer's price and the tariff on that article is 60 per cent, a reduction of 10 per cent will not affect the price in this country. Trust-made articles, made under a prohibitive tariff, will not be affected either. Thus, there is a reduction of 14 per cent in the tariff on typewriters. The trust here sells them for \$100, and an average of 20 per cent less abroad. Cash registers suffered a tariff reduction from 45 to 30 per cent. They are manufactured by a trust which sells similar machines abroad at 50 per cent less. Is anybody gullible enough to believe that under these conditions typewriter or cash registers will be reduced in price?

A specimen of the false pretense that accompanies the presentation of the tariff by those who are responsible for it is found in the book of estimates issued by Mr. Aldrich's committee in which it brands as luxuries and, therefore, fit subjects for increases, certain silk and cotton goods. For instance, cotton cloths, costing only 20 cents a yard are marked as luxuries, and the common spun silks that shop girls and modest housewives use are similarly marked—and there are increases on all silks and cotton cloths, running on the latter from 20 per cent to 86.68 per cent when the cloth is not mercerized and from 33 to 100 per cent where it is mercerized. C. Q. D.