

ratified by the referendum vote. There are provisions in most of the constitutions of the states of the union which throw restrictions upon the actions of legislative bodies in order to prevent the passage of laws contrary to the wishes of the people. The courts of our land have generally construed strictly those constitutional provisions, even when the law enacted is a good measure. The tendency of the courts upon the constitutional provisions, in my judgment, would be greatly modified if the same measures were submitted to the people for their approval or rejection. The sanctity of the vote of the people upon a measure would even effect the judiciary in the construction of laws and constitutional provisions.

"The state of Oregon, I believe, has the best laws of any commonwealth of the union. These excellent laws have been placed upon its statute books by reason of having the power to submit the same to the people under the initiative and referendum.

"The contention that the people will enact unwise measures is predicated upon the theory that they are incapable of self-government. Inasmuch as the end of all government is the happiness of its citizens, it is not absurd to contend the people will hurt themselves by their own votes upon measures submitted to themselves? Do you believe that the average legislator can decide for you what you want better than you can decide for yourself?

"The adoption of the initiative and referendum will place in the hands of the people the tools by which they can force the enactment of good measures; laws which the masses of the people favor. Under them infamous laws cannot be enacted and corrupt and untrustworthy officials, when detected, cannot longer represent a good constituency. The rule of the people, in my judgment, is the most important question of the age. The people become indignant on account of the repeated and flagrant violations of public duty by men who pledged reforms and then after election forgot and deliberately repudiated the same. The public becomes incensed at the legislators and members of city councils who are continually thwarting the will of the people and voting against wholesome legislation at the instance of gigantic corporations. The battle cry of 'the rule of the people' is spreading throughout the land without regard to political affiliations. States are adopting the initiative and referendum by overwhelming majorities. Oregon adopted the same in 1902 by a vote of 62,024 in favor of 5,668 against the same. In Colorado, notwithstanding a great campaign organization existed against the measures, they were passed by a vote of 89,141 in favor of, to 28,698 against the same. Staid old Maine cast 51,591 votes for and only 23,712 votes against. Old conservative Missouri carried the initiative and referendum by a majority of over 25,000. South Dakota, Utah, Nevada, Montana, Arkansas and Oklahoma have each adopted these great principles of government by a vote of three to one. Even in Illinois, where there has been what is called the 'public opinion' law, which is simply advisory to the legislature, a vote at the state election in 1902 upon the popular petition or a local referendum law resulted in a vote in favor of the same of 390,970 to 83,377, a vote of four to one. A second vote taken at the general election of November, 1904, on a similar question of establishing a local peoples' veto, resulted in the overwhelming vote in its favor, of 535,501 to 95,420, over five to one. Notwithstanding those strong advisory votes in the state of Illinois, the legislature has refused to put before the people the measures which such overwhelming majorities demanded. If the vote of the people of Illinois could be expressed, after the exposition of corruption in the legislature of that state which has recently been investigated by grand juries, I have no doubt the initiative and referendum would be carried by a vote as large as that with which it was carried in Oregon.

"Initiative and referendum laws have been adopted in cities in the union by overwhelming majorities. They were adopted in Los Angeles by a vote of 12,105 to 1,955, or a vote of six to one. The movement in California which was started by Los Angeles has been followed in that state by the cities of Sacramento, San Bernadino, San Diego, Pasadena, Eureka, Santa Monica, Alamada, Santa Cruz, Long Beach, Riverside, Santa Barbara, Palo Alto, Richmond and Berkeley.

"Under a law passed by the legislature of the state of Kansas in 1909, giving to cities that desire it the right of the initiative and referendum, there has been a large number of cities which have availed themselves of this privilege.

Now the right to enact laws by direct legislation exists in the cities of Leavenworth, Anthony, Independence, Hutchinson, Wichita, Kansas City, Coffeyville, Topeka and Parsons, Haverhill and Gloucester, Mass.; Kansas City, Mo.; St. Joseph, Mo.; Portland, Ore.; Seattle, Spokane and Tacoma, Wash.; Lewiston, Idaho, and Buffalo, N. Y., together with many other cities now have the right to enact direct legislation.

"The initiative and referendum laws are no longer experiments; nine states in the union have adopted the same. The wholesome legislation passed by the city which first adopted these measures is extending now to nearly all of the cities of the union and I have the greatest confidence that these great reform measures will be adopted by the people of the state of Nebraska at the next general election. In my judgment the highest consideration of good government demands the passage of these measures."

SENATOR KERN'S SPEECH

Senator John W. Kern, of Indiana, said: "I want to assure you that I did not travel from Indianapolis to Lincoln to make a tariff speech for the enlightenment of the intelligent people of this great agricultural state, for I am perfectly aware that by the long series of object lessons, given year by year by republican professors, your education on that subject has been so completely rounded out that not even a post-graduate course is necessary. To be entirely frank with you I did not come here to discuss political issues at all. The primary, and I might say the sole motive which prompted me to make the long journey hither, was that I might be enabled to testify in this presence to my deep personal affection for William J. Bryan, and personally congratulate him, not so much because he has lived to be fifty-one years old, but because within the brief period of his life, as a private citizen, he has wrought greater good for his country and for humanity the world over than any other man now living. And then I wanted to bring to him a message of esteem and continuing confidence from more than a third of a million of the best democrats on earth—the democrats of the splendid democratic state of Indiana.

"With unparalleled loyalty and devotion they have thrice supported him for the highest office in the nation; and I bring him the assurance that their affection for him is in no wise diminished, and that they are highly resolved that the man who succeeds Bryan as the standard bearer of the national democracy must stand for the reforms in government for which Bryan contended in the last campaign and must, with unflinching footstep and single purpose, lead the democratic hosts forward along the line of march marked out in 1908. They believe that the only way to win a victory is by a forward movement, and that a retreat or even a flank movement now would result in inevitable disaster.

"The future of William J. Bryan is secure. Whether he shall ever again be called upon to lead the democratic hosts is a question of little moment to him, for, by reason of his achievements in behalf of the people, he has so endeared himself to the great rank and file of the American democracy that whenever Bryan sits in the democratic councils of the future, there will be the head of the table. Other men may find even higher favor amongst men who work at politics as a trade, and amongst those who sit in the seats of the mighty, but Bryan's strength will be in the fact that in millions of American homes and by millions of the true and earnest men and women by whose endeavors this country has been made great, he will always be regarded as champion and friend—the fearless foe of wrong and oppression everywhere.

"It is of little consequence to the great democratic party of America, that there may be men in Nebraska, who, because of his conscientious convictions on questions of religion and morality may seek to discredit him. There are nearly six and a half million of men who so appreciate his unselfish work of the past fifteen years that they will see to it that neither jealousy, nor prejudice, nor petty animosity, shall ever, for a moment, prevail against him.

"I have already said that there is no longer need of a discussion of the tariff question. The shroud of mystery with which that question has been enveloped and obscured for a third of a century has been removed, and it stands out now as a mere question of taxation. When our adversaries in the last campaign conceded that the tariff is a tax burden, which rests upon the consumer, they conceded away the whole cause

of protection. For the tariff question, thus stripped of mystery, is only as to whether this government should take from the earnings of the people more tax money than it needs for governmental purposes when economically administered. It is the democratic notion that your city government should take out of your earnings as a city tax, only the amount of money it needs; that your county government should levy upon you no more county tax than the county needs; and, that your state government ought not to compel you to pay more state taxes than the state needs. And on these questions both parties have always agreed. No man has ever dared to advocate the monstrous proposition that either city, county or state should take a dollar more of the earnings of the people, than might be found necessary for the economical administration of the respective governments.

"But when we come to the question as to how much of earnings of the people the national government should take by national taxation, we are face to face with the tariff question.

"Here again the democratic position is the same. We believe that the government has a right to take, and ought to take out of the pockets of the people, all the money it needs for its economical administration, but that all the earnings of the people that the government don't need ought to be left in the pockets of the men and women who earn it.

"It is the democratic idea that the less of a man's money the government takes, the more the man will have left. The republicans, for thirty years, have been trying to convince the American people that the more of a man's money the government takes, the more he will have left.

"In this day of schools, telegraphs and telephones and rural mail delivery, it is an insult to the intelligence of the people to argue the question as to whether unnecessary taxation is promotive of prosperity.

"I believe the democratic party will prove itself to be the party of genuine progress. By providing for direct primaries, the initiative, referendum and recall and the election of United States senators by the people, it will insure to the people the direct control of their own government, and make office holders the servants and not the masters.

"By providing an income tax it will distribute the burdens of taxation so that the wealth of the country may no longer escape its just share of those burdens. By enacting and enforcing laws against private monopolies and illegal trusts, it will encourage and stimulate legitimate and lawful business everywhere. By the inauguration of a policy of old-fashioned economy in every department of government it will so reduce the national expenses that a tariff for revenue will not be high enough to protect monopoly, but will be low enough to materially lighten the burdens of taxation.

"The people, just now, want results, rather than political maneuvering, and speaking for myself, I am willing to co-operate with President Taft in every effort he may make to lighten the burdens that rest upon the people. As long as he travels along the pathway that leads to genuine tariff reform I am willing to travel with him to the end, not that party advantage may be gained, but that the people may be relieved from the burdens which plague them."

SENATOR OWEN'S SPEECH

Senator Owen, of Oklahoma, said of Arizona: "May she live long and prosper! And her government WILL live long, and her people WILL prosper, because they have built the foundation of government upon a stone and not upon the sand.

"They have established a constitution providing for the rule of the people, through the initiative, the referendum and the recall. Under this rule, the people of Arizona can never be long dissatisfied with their own government, because their government is in their own hands in such simple fashion that they can by the easiest process amend any error which shall be discovered. Such a government is safe against conspiracy, against oligarchy, against corruption and fraud, which have honey-combed and undermined the foundations of other governments in the history of man.

"With the initiative, the people of Arizona can, by petition, initiate any law they do want and compel its submission to the vote of the people, and by a majority vote write that statute upon the statute books of Arizona, regardless of the legislature and regardless of any governor who might veto an act of the legislature. He can not veto an act of the sovereign ruling power—the people of Arizona.

"What stability this assures in giving to the