

WESTERN LATE HISTORICAL SOCIETY

Ohio Congressmen on Harmon's Position

Harmon's Record

Some Side Lights on the Ohio Governor's "Progressiveness"

Following is a special dispatch to the Cincinnati Enquirer: Washington, February 12.—Governor Judson Harmon's opposition to the initiative and referendum has not found an echo in the sentiments expressed upon the subject by the democratic members of the house from Ohio.

There is not one of the sixteen members of the delegation who takes the view of the subject which is entertained by the governor, but, on the contrary, a majority of them are openly in favor of this principle as laid down in the democratic platform of Ohio.

While the Ohio democrats do not seek to enter any controversy with the governor on the subject, and are disposed to leave him out of consideration when discussing it, the fact is that not one of their number has given indorsement to his utterances upon the issue. There are several members of the delegation who prefer not to state their views upon the question, chiefly because the governor has taken a stand against it, but there is none of them who wishes to record himself as opposing the initiative and the referendum.

Generally speaking, they favor adhering to the principles laid down in the platform, and agree with the manner in which Representative Cox, of Dayton, expresses it, that platforms have come to mean something, that they are in effect a contract entered into with the people, and those who are elected to public office upon such declarations should adhere to them.

None of the Ohio democrats has withdrawn his support from the governor's candidacy for the democratic nomination because of his declared attitude on the question, but it is evident that they do not wish to take up the fight in his defense on the matter.

In expressing their individual views they leave the governor's position out of consideration, and do not couple their attitude with his aspirations for the presidency.

The following expression of opinion indicates the sentiment of the Ohio members:

Representative Allen, of the Second Ohio district: "I am in favor of the initiative and referendum, but I am not in favor of the recall of judges. The initiative and recall solves many of the questions we now have to meet. It, however, is one of many issues, the most important of which is the tariff, which should not be subordinated."

Representative Cox, of the Third district: "I am in favor of the initiative and referendum, and have so stated on numerous occasions. I consider it an absolute safeguard to representative government. Instead of it being an experiment, the giving of absolute authority to legislative bodies has often proved a failure. So in the initiative and referendum, the people take back authority to themselves."

"The day has arrived when a party platform means something—it is a contract with the people. The initiative and referendum has been in our state platform in Ohio during the last two campaigns, and the people have, by large majorities, showed that that is what they want, and we should keep the faith."

Representative Post, of the Seventh district is absent from Washington on account of illness in his family.

Representative Ansberry, of the Fifth district, preferred not to express an opinion at this time.

Representative Denver, of the Sixth district, said he preferred to be classed as non-committal on the question.

Representative Post, of the Seventh district: "The initiative and referendum has been tried successfully in Oregon. There is evidently a demand on the part of the people that it should be tried in Ohio. I am a democrat and I believe in the rule of the people. I do not believe that we should adopt new measures without giving them due consideration and careful study. I think that the constitutional convention will

perform its duty and weigh this question carefully and act according to its best judgment. It will then be for the people themselves to decide whether or not they wish to approve its work."

Representative Sherwood, of the Ninth Ohio district: "I believe in the initiative and referendum and recall. I am not here to condemn a majority of federal judges. I only give some terrible examples in order to show the danger in the system of judges appointed for life. Even so rank an imperialist as Colonel Theodore Roosevelt recently criticised in a public address the integrity of a recent supreme court decision."

"The best thought of the best thinkers today is that in a republic, with a constitution guaranteeing to every citizen free thought and free expression of opinion on all current topics and a free press, there should be no public official, either executive, legislative or judicial, who is above removal or recall by the people."

Representative Claypool, of the Eleventh district: "I am opposed to the recall of judges. At this time I am not ready to express an opinion on the initiative and referendum."

Representative Anderson, of the Thirteenth district: "While I do not want to commit myself just now and express an opinion as to what the constitutional convention should or should not do, I believe that the voters of my district know that I am always in favor of the greatest possible liberty and the greatest possible participation of the people in the affairs of their government. What the people want is what I want, and they will always find me advocating what will be to their greatest benefit."

Representative Sharp, of the Fourteenth Ohio district: "The principle of the initiative and referendum is correct, yet its proper application is one of no little difficulty. While I believe the right ought to be lodged in the people to recall any official who has by his acts proved unworthy or unresponsive to their wishes, yet it is not difficult to contemplate a situation whereby the action of the chosen representatives of the people to make laws in their behalf may become quite superfluous in carrying the reform so far that the people themselves shall be called upon to vote for or against any particular act to be considered."

"I have seen ballots upon which a very large number of proposed measures for legislation have been printed, and a proper determination to my mind would seem to be most bewildering in anything, but a clear reflection of the people's views. I think our trouble in part has come more from not exercising proper care in the selection of our officials rather than the methods of making our laws."

Mr. White, of the Fifteenth district, was the only democratic member of the delegation who was not seen in regard to the issue.

Representative Francis, of the Sixteenth district: "I do not care to be quoted now on a matter which is before the constitutional convention and not before congress."

Representative Ashbrook, of the Seventeenth district: "Before giving my unqualified approval of the initiative and referendum I would like to see it thoroughly tested out."

Representative Whitacre, of the Eighteenth district, is now in Panama.

Representative Bathrick, of the Nineteenth Ohio district: "It is my opinion that the initiative should be instituted by a reasonable number of petitioners to the legislature to consider the law in question. The consideration should be mandatory to prevent its being buried in committee and compel a final vote."

"This would give consideration by what we are pleased to term a deliberate body and the pros and cons would be well thrashed out. If the final vote were not satisfactory to the people, use the referendum. By this means more deliberation and education would be procured."

"I am not at all adverse to the recall. It would operate as a check, and I do not believe in one case out of a hundred would it be used to the detriment of the people's interest."

Representative Bulkely, of the Twenty-first district: "I think the initiative and referendum is wrong in principle, but it is right in Ohio. It is necessary wherever there is a crooked legislature, and we have had so many crooks in our legislature that I deem it necessary in Ohio. I declared in favor of it in the last campaign and voted for candidates who were pledged for it. It would be a violation of that pledge now if it were not placed in the constitution."

OHIO DEMOCRATS
The Democratic Progressive league, which was organized at Columbus, January 2nd, has opened headquarters at No. 510-511 Harrison building, Columbus, Ohio, secretary of the league, W. W. Durbin, in charge. Mr. Durbin desires to get into communication with the Ohio democrats who approve of the work that the league has undertaken.

The veto messages of Governor Harmon of Ohio afford another angle from which to view the alleged progressiveness of this democratic candidate for the presidency. As was noted in a previous issue of The Commoner the governor failed to approve, but allowed to become laws without his signature, a number of bills affecting corporations. He also vetoed some bills that were pointed in the same direction. One of these upon which his disapproval fell was House Bill No. 53, Ohio has a law which requires the electric cars used in city and interurban traffic to be fitted up with closed vestibules so as to completely protect the motormen from wind, storm and sleet, and that they be heated during the winter months. The bill which Mr. Harmon vetoed provided that the cars should also be equipped with like vestibules for conductors, but without heating. A year was allowed to make all necessary changes.

The governor advanced several reasons why this bill should not become a law. One was that it was too expensive and impracticable. Another was that the conductor didn't need the same protection. He said: "I can not believe that there is anything in the case of the conductor to justify the proposed measure. The convenience and proper service of the public is the object of the enterprise in question, and these should not be interfered with except for clear and sufficient cause. And while the expense involved, though great, would not matter if such cause existed, it must not be forgotten that every needless burden imposed upon a public utility is bound to result in impairment of the service it is established to regulate and maintain." Reads a little like the speech of the attorney for the defense, doesn't it?

Governor Harmon vetoed House Bill No. 54, to regulate the number of men employed in the business of operating switching engines and to prescribe the qualifications of such men. This law forbade railroads from operating switching engines with less than five men, a foreman, two helpers and an engineer and fireman, and required six months' experience on the part of at least two of the three switchmen in other branches of railroad work. This was a bill backed by and asked for by the switchmen of the state, who objected to being subjected to the extra hazards attached to working with less than the number of men actually needed. The bill also prohibited certain practices indulged in by the railroads to avoid providing the proper number of men for this dangerous work. Among other reasons advanced by the governor was that this was an attempted interference with the trained discretion of the operating officers of a railroad. He said it was also unconstitutional because railroads ten miles long or less were excluded from the provisions of the bill.

The governor's kindly care for the railroad corporations was evidenced also in his veto of House Bill 66, which required the carriage of all live stock within the state at "an average of not less than ten miles an hour from point of shipment to destination, unless prevented by unavoidable accidents, excluding time consumed in loading and stops required by law or order of the shipper for feeding and watering." Similar laws are in force in other states. The provision is regarded by stockmen as very necessary. Loads of cattle arriving just before a market opens in the morning bring better prices, and the cost of feeding them for another twenty hours is avoided if their arrival is thus timed. The law was asked for in Ohio in order that shippers might be able to better time the arrival of their stock at markets. It also proposed to compel railroads to pay attorney fees in cases where shippers were required to sue because of unreasonable delays in the movement of stock. This provision, said the governor, was a departure from the settled policy of the state. His objection to the bill was that a large part of the stock shipping is done by local freights, and as an operating question this was impracticable.

C. Q. D.