

iterated its determination that I should be the standard bearer of the party in the present contest. This mark of trust and confidence I shall ever esteem as the highest honor that could be conferred upon me—an honor that, whatever may be the fate of the campaign, the future can in no degree lessen or impair.

"The admirable platform upon which the party appeals to the country for its confidence and support clearly states the principles which were so well condensed in the first inaugural address of President Jefferson, and points out with force and directness the course to be pursued through their proper application in order to insure needed reforms in both the legislative and administrative departments of the government. While unhesitating in its promise to correct abuses and to right wrongs wherever they appear or however caused; to investigate the several administrative departments of the government, the conduct of whose officials has created scandals, and to punish those who have been guilty of a breach of their trust; to oppose the granting of special privileges by which the few may profit at the expense of the many; to practice economy in the expenditure of the moneys of the people, and to that end to return once more to the methods of the founders of the republic by observing in disbursing the public funds the care and caution a prudent individual observes with respect to his own; still the spirit of the platform assures conservative, instead of rash action; the protection of the innocent as well as the punishment of the guilty; the encouragement of industry, economy and thrift; the protection of property and a guarantee of the enforcement for the benefit of all of man's inalienable rights, among which, as said in the Declaration of Independence, are 'life, liberty and the pursuit of happiness.' Liberty, as understood in this country means not only the right of freedom from actual servitude, imprisonment or restraint, but the right of one to use his faculties in all lawful ways, to live and work where he will and to pursue any lawful trade or business. These essential rights of life, liberty and property are not only guaranteed to the citizen by the constitution of each of the several states, but the states are by the fourteenth amendment to the constitution of the United States forbidden to deprive any person of any one of them without due process of law.

'Occasionally, by reason of unnecessary or impatient agitation for reforms, or because the limitations placed upon the departments of government by the constitution are disregarded by officials desiring to accomplish that which to them seems good, whether the power exists in them or not, it becomes desirable to call attention to the fact that the people in whom all power resides, have seen fit, through the medium of the constitution, to limit the governmental powers conferred and to say to departments created by it: Thus far shalt thou go and no farther. To secure the ends sought the people have by the constitution separated and distributed among the three departments of government—the executive, legislative and judicial—certain powers, and it is the duty of those administering each department so to act as to preserve, rather than to destroy, the potency of

the co-ordinate branches of the government and thus secure the exercise of all the powers conferred by the people.

"Thomas Jefferson, in a letter to William C. Jarvis, touching the perpetuity of our institutions, written many years after he had retired to private life, said: 'If the three powers of our government maintain their mutual independence of each other, it may last long, but not so if either can assume the authority of the other.' It must be confessed that in the course of our history executives have employed powers not belonging to them; statutes have been passed that were expressly forbidden by the constitution and statutes have been set aside as unconstitutional when it was difficult to point out the provisions said to be offended against in their enactment; all this has been done with a good purpose, no doubt, but in disregard, nevertheless, of the fact that ours is a government of laws, not of men, deriving its 'just powers from the consent of the governed.' If we would have our government continue during the ages to come, for the benefit of those who shall succeed us, we must ever be on our guard against the danger of usurpation of that authority which resides in the whole people, whether the usurpation be by officials representing one of the great departments of government, or by a body of men acting without a commission from the people.

"Impatience of the restraints of law, as well as of its delays, is becoming more and more manifest from day to day. Within the past few years many instances have been brought to our attention where in different parts of our beloved country, supposed criminals have been seized and punished by a mob, notwithstanding the fact that the constitution of each state guarantees to every person within its jurisdiction that his life, his liberty or his property shall not be taken from him without due process of law.

"In a struggle between employers and employes, dynamite is said to have been used by the later, resulting in the loss of life and the destruction of property. The perpetrators of this offense against the laws of God and man, and all others engaged in the conspiracy with them, should, after due trial and conviction, have meted out to them the most rigorous punishment known to the law. This crime, added perhaps to others, led to the formation of a committee of citizens that, with the support of the military authority, deports from the state, without trial, persons suspected of belonging to the organization of which the perpetrators of the dynamite outrages were supposed to be members. In both cases the reign of law gave way to the reign of force. These illustrations present some evidence of the failure of government to protect the citizen and his property, which not only justifies the action of your convention in this regard, but made it its duty to call attention to the fact that constitutional guarantees are violated whenever any citizen is denied the right to labor, to acquire and to enjoy property, or to reside where his interests or inclination may determine; and the fulfillment of the assurance to rebuke and punish all denials of these rights, whether brought about by individuals or government agencies, should be enforced by every official and supported by every citizen. The essence of good government lies in strict observance of constitutional limitations, enforcement of law and order and rugged opposition to all encroachment upon the sovereignty of the people.

"The foregoing suggestions but emphasize the distinction which exists between our own and many other forms of government. It has been well said, in substance, that there are but two powers in government, one the power of the sword, sustained by

the hand that wields it, and the other the power of the law, sustained by an enlightened public sentiment. The difference in these powers is the difference between a republic—such as ours, based on law and a written constitution, supported by intelligence, virtue and patriotism—and a monarchy—sustained by force exerted by an individual, uncontrolled by laws other than those made or sanctioned by him; one represents constitutionalism, the other imperialism.

"The present tariff law is unjust in its operation, excessive in many of its rates and so framed in particular instances as to exact inordinate profits from the people. So well understood has this view become that many prominent members of the republican party and at least two of its state conventions have dared to voice the general sentiment on that subject. That party seems, however, to be collectively able to harmonize only upon a plank that admits that revision may from time to time be necessary, but it is so phrased that it is expected to be satisfactory to those in favor of an increase of duty, and to those opposed to any change whatever.

"Judged by the record of performance, rather than that of promise, on the part of that party in the past, it would seem as if the outcome, in the event of its success would be to gratify the latter class. With absolute control of both the legislative and executive departments of the government since March 4, 1897, there has been neither reduction nor an attempt at reduction in tariff duties. It is not unreasonable to assume, in the light of that record, that a future congress of that party will not undertake a revision of the tariff downward in the event that it shall receive an indorsement of its past course on that subject by the people. It is a fact and should be frankly conceded that should our party be successful in the coming contest we can not hope to secure a majority in the senate during the next four years, and hence we shall be unable to secure any modification in the tariff save that to which the republican majority in the senate may consent. While, therefore, we are unable to give assurances of relief to the people from such excessive duties as burden them, it is due to them that we should state our position to be in favor of a reasonable reduction of the tariff; that we believe that it is demanded by the best interests of both manufacturer and consumer, and that a wise and beneficent revision of the tariff can be accomplished as soon as both branches of congress and an executive in favor of it are elected, without creating that sense of uncertainty and instability that has on other occasions manifested itself.

"This can be achieved by providing that such a reasonable period shall intervene between the date of the enactment of the statute making a revision and the date of its enforcement as shall be deemed sufficient for the industry or business affected by such revision to adjust itself to the changes and new conditions imposed. So confident am I in the belief that the demand of the people for a reform of the tariff is just, that I indulge the hope that should a democratic house of representatives and a democratic executive be chosen by the people, even a republican senate may heed the warning and consent to give at least some measure of relief to the people.

"The combinations, popularly called trusts, which aim to secure a monopoly of trade in the necessities of life as well as in those things that are employed upon the farm, in the factory and in many other fields of industry, have been encouraged and stimulated by excessive tariff duties. These operate to furnish a substan-

tial market in the necessities of 80,000,000 of people, by practically excluding competition. With so large a market and highly remunerative prices continuing long after the line of possible competition would naturally be reached, the temptation of all engaged in the same business to combine, so as to prevent competition at home and a resulting reduction of prices, has proved irresistible in a number of cases.

"All men must agree that the net result of enacting laws that foster such inequitable conditions, is most unfortunate for the people as a whole, and it would seem as if all ought to agree that the effective remedy would be to appropriately modify the offending law. The growth of monopoly, of which complaint is justly made, can not be laid at the doors of the courts of this country. The decisions of the supreme court of the United States, the court of appeals of this state and the courts of last resort in many other states, warrant the assertion that the common law as developed affords a complete legal remedy against monopolies. The fact that they have multiplied in number and increased in power has been due, not to the failure of the courts to apply the law when properly moved by administrative officials or private individuals, but to the failure of officials charged with the duty of enforcing the law to take the necessary procedure to procure judgments of the courts in the appropriate jurisdiction, coupled with the fact that the legislative departments of some of our state governments as well as congress in the manner already referred to have, by legislation, encouraged their propagation. What is needed—in addition to the basis—is not so much other and different laws, as officials

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