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ISSUED WEEKLY.

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THE COMMONER, Lincoln, Neb.

That Turkish parliament seems to stand about [illegible] show with the sultan as the constitution as much as the big boss in this country does with the b[illegible]

About the time of receipt of [illegible] of the first hunting bulletin from South Africa the Ananias Club will be ready to initiate a new member.

The troops sent from Cuba to Fort Snelling, Minn., have a perfect right to object to the cool reception accorded them by their countrymen.

The speaker of the Nebraska legislature is a democrat named Pool, and the republicans are trying to frame up schemes for troubling the waters.

It cost the secret service department $150,000 to investigate the Brownsville affair, yet after all what was learned does not satisfy Senator Foraker.

A New York poetess mislaid $18,000 worth of jewels and had to enlist the aid of the police to recover them. Mind you, it was a poetess, not a poet.

EARTHQUAKE FUND

Contributions to the earthquake fund are as follows: Gilbert Bros., York, Neb., $5; J. A. Boudle, Independence, Mo., $1; W. P. Ownly, Whitewright, Tex., $1; Daniel Mooney, Gladbrook, Ia., $1; E. J. Horton, Owatonna, Minn., $2; W. V. Jennings, Farmersburg, Ind., $1; M. B. Wilson, Giltner, Neb., $1; Victor Levy, Oklahoma City, Okla., $2; Jacob King, Logan, Kan., $5; Jeff Weatherwax, Shellsburg, Ia., $1; Mr. and Mrs. S. Baringer, Beattie, Kan., $1; J. A. Smith, Canon City, Colo., $1; Samuel Miller, Shay, O., $1; Jeremiah & Quincy Morris, Highland, O., $1; W. S. Burton, Seaford, Del., $1; Mrs. A. W. Homeier, Harcourt, Ia., $10; S. R. Linsley, Enid, Okla., $5; E. Downs, Floyd, Ia., $1; William O'Keefe, Plymouth, Ind., $1; E. W. Ferguson, Long Pine, Neb., $1.19; J. C. Jackson, Howard, Kan., $5; A. G. Harshbarger, Anderson, W. Va., $2; August Pease, Canon City, Colo., $1; Elizabeth Sheets, Alcony, O., $2; Samuel Taylor, Handsboro, Miss., $2; Cash, New York City, $5; Mrs. James Gaynor, Grand Rapids, Wis., $5; John Grabst, Blue Creek, Wash., $1; Mr. McDougal, Blue Creek, Wash., $1; A. D. Kerr, Clayville, Va., $5; I. O. Goddard, Jacksonville, Mo., $1; J. W. Tolle, Evergreen, Colo., $1; L. C. Harsh, Ponca City, Okla., $2; William Engel, Sr., Friend, Neb., $1; William Roberts, Tallahassee, Fla., $5; Mrs. E. O. Thwaites, Sargentville, Me., 65 cents; I. P. Wolf, Newbury, W. Va., $1. Total, $83.84.

OREGON'S SENATORIAL CONTEST

The senatorial election in Oregon illustrates the difficulty often confronting the effort to have the will of the majority reflected by the majority's representatives. Writing for Senator LaFollette's new paper United States Senator Jonathan Bourne, Jr., gives an instructive description of the Oregon situation and the peculiar law which brought it about. Senator Bourne describes the Oregon law in this way:

"In an amendment to the state constitution the people of Oregon recently supplemented their representative system of government in its legislative branch by taking back to themselves in their electoral capacity the power to initiate and enact laws by their direct votes, and by the same method repeal or veto laws enacted by their legislatures.

"It is called the initiative and referendum, or direct legislation, amendment.

"Under this system the people of Oregon have succeeded in doing for themselves some things in a legislative way that they could never have hoped to get done for them by their legislature, and the most important of these things was the enactment of a primary election law doing away with conventions.

"This law provides for the popular nomination of all candidates for office, including that of United States senators, by a regular election under the Australian ballot system within those parties that in the preceding general election cast twenty-five per cent of the state's vote.

"Our primary election law provides that an elector seeking office may get his name on the party's ballot by petition, in which, among other things, he agrees to "accept the nomination and will not withdraw," and if elected "will qualify as such officer," implying, of course, that he will also serve.

"Under the law, the legislative candidate may, in addition to stating on his petition in not to exceed a hundred words what measures and principles he advocates, also subscribe to one of two statements; but if he does not so subscribe he shall not on that account be debarred from the ballot."

The first is designated in the law as Statement No. 1, and is as follows:

"I further state to the people of Oregon, as well as to the people of my legislative district, that during my term of office I will always vote for that candidate for United States senator in congress who has received the highest number of the people's votes for that position at the general election next preceding the election of a senator in congress, without regard to my individual preference."

It will be perceived that it is the people's choice and not a party's choice that the legislator is pledged to, in which respect our law recognizes the people—the electorate and not a party—as the source of sovereign power in the state.

Statement No. 2 is as follows:

"During my term of office I shall consider the vote of the people for United States senator in congress as nothing more than a recommendation, which I shall be at liberty to wholly disregard if the reason for doing so seems to me to be sufficient."

Pointing out that the latter statement breathes the spirit of the political boss instead of the public servant, Senator Bourne says:

The petitioner may omit making any statement if he so desires, and let his constituents guess as to what course he may take in the senatorial contest.

In Oregon, as in some other states, for years public sentiment has been a crystallized one in favor of the popular election of United States senators.

Recognizing this popular conviction the average legislative candidate in Oregon is now inclined to take the Statement No. 1 pledge.

But it was found on the very first trial of our law that the political boss was out of a job and particularly injured because his influence and value were entirely eliminated when forty-six or more of the ninety members comprising the legislature should be pledged under Statement No. 1 to elect the people's choice for United States senator.

It is often the case that the people are lethargic, trustful and slow to awaken to the aggressions of tyranny. And so on the second trial of the law the Oregon electorate slept until the republican party boss had well nigh rehabilitated his machine. At the last hour preceding the April primaries of 1908 some patriotic republicans hurried into the field in some of the legislative districts, Statement No. 1 republican tickets, which being generally elected, together with some Statement No. 1 democrats put up against the boss and anti-Statement No. 1 republicans, and the hold over Statement No. 1 state senators, gives a majority of seven on joint ballot in favor of our law which contemplates the formal ratification or perfunctory election of the people's choice for United States senator.

The net results of the Oregon primary election of April last and of the general election on the first Monday of June following, was the defeat of Senator Fulton for renomination in the primary election by his republican competitor, (in my opinion because of his supposed opposition to Statement No. 1) Hon. H. M. Cake, who was an avowed Statement No. 1 advocate; the defeat of Mr. Cake in the general election in June by Governor George E. Chamberlain, the democratic candidate, who was also a Statement No. 1 advocate and who received the support of a large number of the republican opponents of our primary law; and the election of a large republican majority in the legislature, thirty-seven of whom are pledged to elect the people's choice for United States senator, and fourteen democrats so also pledged, making a majority of seven on joint ballot.

This situation is the result of political perfidy on the part of the so-called republicans amounting to probably 10,000 who being bitterly opposed to the primary law, voted in the general election for Governor Chamberlain, the democratic nominee, rather than for Mr. Cake, the republican nominee, believing if Chamberlain received the popular vote for senatorship that the legislature, which would unquestionably be republican, would fail to elect him, thus they hoped to make the primary law and Statement No. 1 odious and sought to create what it thought would be an impossible condition, as they never believed a sufficient number of Statement No. 1 legislative subscribers would be elected to constitute a majority of the legislature.

This situation places the greatest possible strain upon the law; so great, indeed, that its vitality is to be tested in the struggle between fealty to party and fealty to the basic principle of the American government. In conclusion it remains to point out that this principle is a fundamental and that fundamentals are usually established along the lines of greatest resistance. Hence it is that a legislature which is overwhelmingly of one political faith, and recognizes itself to be but the agent of the sovereign power of the state, will formally and perfunctorily elect to the United States senate a man of an opposite political faith in obedience to the sovereign will of the state, as that will has been largely ascertained, thus redeeming the character of Oregon legislators and establishing under greatest stress the principle of true self government.

The people's selection of Governor Chamberlain for their senator will inevitably be ratified by the Oregon legislature, and thus Oregon will present a demonstration that our electorate have evolved a plan which in effect permits the people to select their own senators, and crystallized public opinion forces the legislature to elect the individual thus selected by the people.

While a number of other states have primary laws, none have the Statement No. 1 provision which, in my opinion, is the essence of our primary law as far as the selection by the people of their United States senators and their enforced election of same by the legislators.

All of those fifty-one members in the Oregon legislature who subscribed to Statement No. 1 pledge did so voluntarily. It was so subscribed to by them from a personal belief in the desirability of the popular election of United States senators and for the purpose of securing for themselves from the electorate preferment in the election to the office sought; the consideration in exchange for such preferment was to be by them, as the legally constituted representative of the electorate in that behalf; the perfunctory confirmation of the people's selection for United States senator, as that choice might be ascertained under the provisions of the same law by which the legislators themselves secured nomination to office.

No oath could be more sacred in honor; no contract more binding; no mutual consideration more definite than is contained in the Statement No. 1 pledge; and no parties to a contract could be of more consequence to government and so-