

Entered at the Postoffice at Lincoln, Nebraska, as second-class matter.

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Editorial Rooms and Business
Office 124-520 South 12th Street

One Year.....\$1.00
Six Months......50
In Clubs of Five or more, per year... .75

Three Months..... .25
Single Copy..... .05
Sample Copies Free.
Foreign Post. 5c Extra.

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THE COMMONER, Lincoln, Neb.

Mighty little dross in the output of the democratic house during the special session.

The senate has done much better than usual this year—thanks to the aid rendered the democrats by the insurgents.

The president's veto of the cotton-iron schedule did not create much of a sensation—it was a sort of "others also ran" affair.

Read the poll of democratic senators and members of congress and see if you can discover any signs of Nebraska instructing for Harmon.

The president tells congress that the commission selected by HIM has such a monopoly of tariff wisdom that nothing was left for senators and members of congress to do.

Here's to Senator Owen. His bravery in tying Arizona and New Mexico together at the last session insured Arizona's admission at this session with her progressive constitution. The new state ought to name a county after him.

Senator Bailey voted against the admission of Arizona even with the recall stricken out but no other democrat joined him in his objections. How fortunate for the party that Senator Bailey's arguments no longer influence his colleagues.

The plutocratic papers which gave so much space to Mr. Underwood's attack on Mr. Bryan have little to say about his offensive attack on his colleague, Congressman James, and they freely forgive him for surrendering the right of the house to frame a bill reducing the duty on iron and steel.

A GOOD BEGINNING

The sending of thirteen members of the poultry trust to the penitentiary for the violation of the New York anti-trust law is a good beginning. They entered into a conspiracy to rob the people of their state—why should they not be treated as other thieves?

Penitentiary terms for a few of the high-toned criminals who practice grand larceny through monopoly methods will do more than anything else to end the reign of commercial lawlessness and restore competition.

The Commoner.

"Bryan a Dead One? Nay, He's the Same Old 'Bill' of Plain Folk"

(Cincinnati Post.)

If you share the fallacy, popular in some quarters, that William Jennings Bryan, of Lincoln, Neb., is dead, go with him to a chautauqua lecture or ride 40 miles with him on an interurban trolley car. See the populace fall on his neck. See the men wring his right hand dry. Hear the woman purr sweet purrs into his ear. And see William J. himself receive a fat package from the manager of the chautauqua, which, on being opened, proves to be none other than a check for \$200 and an assorted collection of worn but perfectly good greenbacks.

Dead? Nay and no. William Jennings Bryan is still our most animated politician.

See the mothers of Georgetown, O., where Bryan spoke recently, pleading with the Peerless Leader that he shake their babies' hands. See him do it, and also pat baby's cheek. See mother's face abeam with happiness.

Hear mother say: "This is Mr. Bryan, baby. Some day oo be a great man like him."

Hear father declare: "I met you in Maysville once, Col. Bryan."

And hear the colonel: "Yes, sir; I remember—it was late at night."

The colonel's touch of reminiscence causes father's iron mask of care to drop from his face, and it becomes radio-active with rippling smiles.

The colonel dead? He's one of our livest wires.

See the lovely town of Georgetown. See the leading stores all closed in the colonel's honor. See old campaign portraits of the colonel, dug up from treasure chests, decorating the windows. See the newly painted white courthouse waving the stars and stripes from its tower, and only one of many gay gonfalons that waved in Georgetown Tuesday.

See the proprietor of the leading dry goods emporium proudly selling two shirts to the colonel, thus becoming the exclusive purveyor of Georgetown to his peerlessness, William J. Bryan, the only.

The colonel deceased? If you think so, please wake up.

Hear the colonel in the chautauqua assembly at the Brown county fair grounds speaking as he spoke Tuesday. See every seat in the race track grand stand filled at a quarter per. Hear the colonel on his favorite topic, "Plutocracy." Hear the colonel say:

"If I should run again they would ring the third-term issue on me. For what with one president taking half of my platform and another president taking the other half, you see I have already had two terms."

And listen to the thunderous applause.

"Go to it, Bill, go to it."

"Right you are, Bill," they cry.

"I am very happy now," continues the colonel. "I never felt better in my life. I am relieved of the responsibilities of the presidency. What's the use of working when you can get somebody else to do your work for you in Washington?"

Hear 'em laugh and shout: "That's good, Bill; right you are."

"And the recall," remarks the colonel, "is nothing else than a means of prying an undesirable official away from the public crib."

"Wow!" shouts a man up in front.

"The recall is simply a business method applied to politics. What business man would not dismiss an employe who was unfaithful to his trust? And how long, oh, how long, will we permit unfaithful servants to draw public salary while they embezzle power?"

Now listen, will you, to the thunder of the clap of hands made hard at the plow.

Bill dead? Forget it.

Now see him get down from the platform, all limp of collar and moist of shirt, while the shoulder of his coat sprinkled with perspiration, looks as if the colonel had been under a hose. Hear 'em say: "Right smart speech, colonel."

"The same old Bill, by George; put 'er here, colonel."

And hear the Brown county suffragette say: "Colonel, I hope to vote for you some day."

"Very kind of you," replies the colonel, blushing all over.

"Say, colonel, please let me have your fan," pleads a sweet young lady from Georgetown. And the colonel, with a bow, surrenders his palm leaf, and thus there is added another

Bryan relic to the collection of Bryan coats and Bryan hats and Bryan trousers and Bryan shirts that are treasured by lucky democrats in various sections of the country.

And now comes "Doc" Meyer with his auto—oh, fortunate auto—to bear the colonel away to the depot, where he takes a car for Cincinnati. Hear the crowd cheer him on his way with a shout.

The peerless leader no more? That's popular fiction.

See all the men in the car crowding into the smoker of the car where the colonel has found a seat. Observe the colonel occupying a seat all by himself. See all eyes centered there. Hear Old Pop Hoadley observe: "Colonel, hope you'll pick us a good man next time."

And the colonel: "I'll do my best."

Observe the populace of the town crowding around the car at every stop and pushing their hands through the open window at the colonel.

Hear Mr. Newlywed saying: "Colonel, my wife is at the other end of the car. I'd like to have you meet her."

Whereupon the colonel leaves his seat and holds a 10-minute reception to Mr. Newlywed's bride. (Great jealousy among the rest of the passengers.)

It's a triumphal tour. And then his peerlessness takes off his wilted collar and puts on a fresh one (size 17) in full view of everybody.

The car reaches the depot at Fourth avenue and Sycamore street. A drunken man reels out of a saloon. His vision is uncertain as to the exact position of the sidewalk and the telegraph poles, but he instantly recognizes the colonel.

"I have voted for you five times," says the man, and then he makes a "touch" and gets a quarter.

"Five times?" queries the colonel as he passes the coin. "Then, sir, you have the distinction of voting for me more often than any man in the United States."

The colonel has only run for the presidency three times—so far.

W. J. B. among the departed? No!

As Senator Gore, the blind solon from Oklahoma, who was the evening's lecturer at the chautauqua, remarked, "He will live forever—in the hearts of the people."

Bryan left Cincinnati for Urbana, Ill., at 9 o'clock Tuesday evening, after being entertained at dinner by Walter Wichgar, president of the Business Men's club, and John L. Shuff.—Cincinnati Post.

CONSTITUTIONALITY OF LAWS

Chevy Chase, Md., Aug. 7, 1911.—Editor The Commoner: Mr. J. H. Ryckman, in your issue of April 14th, last, questions the right of the federal courts to declare a law unconstitutional. He doubts that such a power was conferred upon these courts by the constitution of the United States, and thinks it is a usurped power merely.

Much interesting discussion on this subject will be found in the speeches and writings of Calhoun and Hayne, at the time of the nullification crisis, 1830-33. For instance, Calhoun stoutly denied that the constitution conferred any such power upon the federal judiciary. He admitted the right of the courts to pass upon the constitutionality of a statute in cases properly before them, but only as a right or duty arising from the nature of the case, and then not so as to bind the several United States or to decide questions of sovereignty.

Such a right he contended resided with every one of the several states (in matters arising within its own territorial bounds), pending a general convention of the states and a three-fourths vote therein against the objecting or vetoing state—this in view of the fact that the federal government and all its departments (including the judiciary) is one of strictly delegated powers, while the several states (i. e., the people thereof) possess all the residuary, undelegated powers as expressly set forth in the 10th article of the amendments.

From this it will be seen that "nullification" was nothing else than a system of state referendum. And if popular referendum is coming to be recognized as a remedy and a safeguard for the people of a given state, why not state referendum to guard the states of the union against judicial usurpation and centralized despotism?

LLOYD T. EVERETT.