

can Lorimer, who ought to be in the penitentiary instead of the senate. I am still not surprised when Senator Bristow, a republican senator from Kansas, charged on the floor of the senate that the cloak of the system, Republican Aldrich, had been transferred to the shoulders of the minority leader.

"I am not prejudiced in these opinions. I voted for Senator Martin in his last campaign under the representation that he would stand for rate regulation. Since his election, he seems to have turned out to be a believer in regulation of the corporation kind, that does not regulate. When the proposition to have the government make a physical valuation of the railroads—the very crux of the matter of regulation—was before the senate, Senator Martin did not vote for it, nor did he vote against it—he simply dodged."

The speaker said that he did not believe in personal politics. He was not for any man or against any man. He believed the citizen had a high duty to perform, and the public good should be the deciding factor. He discussed the alliance of the railroad ring with the republicans of the state, and ridiculed the actions of its leaders in writing letters at the eleventh hour expressing hopes for straight-out democracy, after having been the allies of Alvah Martin fusionism for so many years. He thought it too much like death-bed repentance. Then branched out into a discussion of the general effect of ring rule in Virginia in its relation to the primary, the schools and other things, and closed with an earnest appeal to the people to stand by the Democratic League in its efforts to break the hold of the system, and to place government in the hands of real democrats who wanted no special privileges for themselves, and who would represent Virginia in opposition to conferring them upon others.

RECALL OF JUDGES

The recall of judges is provided by the following states by address of legislature (pages refer to "Thorpe's American Charters, Constitutions and Organic Laws") to-wit:

Alabama, 107, 115, 129, 143, 171, 208; California, 543; Delaware, 575; Florida, 672, 693; Georgia, 798, 804, 806, 818; Indiana, 1066, 1084; Kentucky, 1270, 1284, 1300, 1331; Louisiana, 1387, 1401, 1420, 1439, 1459, 1485, 1568; Maine, 1659, 1662; Maryland, 1727, 1760, 1799; Michigan, 1960; Mississippi, 2042, 2057; Missouri, 2252; Nevada, 2416; New Hampshire, 2466, 2486, 2509; New York, 2664, 2719; North Carolina, 2833; Ohio, 2923; Oregon, 3010, and by Art. II, Sec. 18, by popular vote on 25 per cent petition; Pennsylvania, 2097, 3098, 3109; 3133, 3135; Rhode Island, 3232; South Carolina, 3254, 3297, 3342; Tennessee, 3435, 3462; Texas, 3554; Utah, 3716; Virginia, 3828, 3868, 3890, 3925; Washington, 3985; West Virginia, 4025, 4052; Wisconsin, 4088.

The other states do not have the express provision for recall of judges by address of legislature, but all of them elect for short terms by vote of the people and thus recall automatically, by short tenure, their judges. For example: Alabama, five years; Arkansas, eight years; California, twelve years; Colorado, nine years; (Connecticut, eight years by general assembly); Delaware, twelve years (appointed by governor and senate); Florida, six years; Georgia, six years (by general assembly); Idaho, six years; Illinois, nine years; Indiana, six years; Iowa, six years; Kansas, six years; Kentucky, eight years; Louisiana, twelve years; Maine, seven years (appointed by governor and council); Maryland, fifteen years; Massachusetts, during good behavior (appointed by governor, consent of council); Michigan, eight years; Minnesota, six years; Mississippi, nine years, (appointed by governor, consent of senate); Missouri, ten years; Montana, six years; Nebraska six years; Nevada, six years; New Hampshire, during good behavior (by governor and council); New Jersey, seven years (by governor, consent senate); New York, fourteen years; North Carolina, eight years; North Dakota, six years; Ohio, five years; Oklahoma, six years; Oregon, six years; Pennsylvania, twenty-one years; Rhode Island, subject to resolution general assembly (elected by general assembly); South Carolina, eight years (elected by general assembly); South Dakota, six years; Tennessee, eight years; Texas, six years; Utah, six years; Vermont, two years (elected by general assembly); Virginia, twelve years (elected by general assembly); Washington, six years; West Virginia, twelve years; Wisconsin, ten years; Wyoming, eight years.

In only five states are judges appointed by the governor, to-wit: Delaware, twelve years; Maine, seven years; Mississippi, nine years;

New Jersey, seven years; Massachusetts, good behavior; and in Delaware, Maine, and Mississippi, the legislature may recall. This leaves only Massachusetts with no declared right of recall, and undefined tenure, although "during good behavior" implies the right of recall by the proper authorities outside of impeachment. Impeachment is a means of recall provided in all states.

Massachusetts and New Hampshire judges hold during good behavior, but in New Hampshire the general assembly may recall, and has done so four different times. ROBERT L. OWEN.

WHAT IS THE MOTIVE FOR THE STATEHOOD VETO?

San Francisco, Aug. 15, 1911.—Editor of The Commoner: After reading the text of our president's veto of the bills allowing Arizona and New Mexico to become states, an idea has taken ground in my mind that it is more than strange that the president of a great democracy knowing that the people of the commonwealths of Arizona and New Mexico are committed to the belief in the value and necessity of a law recalling all officials, including the judiciary, and will pass such laws whether in their present constitutions or not, should set up in text a veto of the right of those citizens to enjoy their full rights as citizens for the reasons named by him, and enter into a specious argument against the will of majorities in a democracy founded on Anglo-Saxon beliefs in the rights of majorities to make and enforce their laws.

So the idea has gained footing in my mind that possibly there is a hidden ulterior motive in such an apparently useless, undemocratic and incongruous action.

We know the so-called "interests" are far-seeing and are aware of the great rising tide of democracy throughout the world, which is demanding and will demand restoration of the rule of the people, and laws, in consideration of the inventions and use of machines, giving a far more equitable distribution of the products of these machines and these "interests" feel blindly and perhaps shortsightedly, but surely that it is necessary for them to control the judiciary, and it is not out of the way to believe that they have under consideration the idea at the present time to "nip in the bud" the law of recall in general and more particularly that of the judiciary, and to get some specious decision of the United States supreme court that the law of recall is unconstitutional as depriving one elected to office of a vested right without due process of law. Certainly, the text of President Taft's veto would pave the way to such an argument.

If President Taft had allowed the recall to remain in the constitution of Arizona, and Arizona had been admitted, they may have thought such a proceeding dangerous to their plans for the reason the recall would be in the organic act admitting Arizona to statehood and it could not afterwards so easily be set aside for it would be a part of its fundamental rights on its admission to statehood, and it would be anomalous thereafter to have this as a precedent, and for the people of Arizona to have the right of recall and those of other states not to have.

One might say "impossible" to such remarks as these, and that the supreme court of the United States could never be induced to make a decision assailing the fundamental rights of a free people, but at present the idea of recall is new, and has not gained ground as it will in the next few years, and it is not out of the question to believe the subject has not been seriously discussed by the powers that be of the desirability and necessity of securing such a decision before the belief in the value of the recall has taken hold of the people.

It seems to be quite certain that the supreme court of the United States as now constituted, has a bias in favor of wealth and power, and in all probability do not believe in the recall of the judiciary, and a decision on the lines of the president's veto as to the rights of the people to rule by majorities would be a staggering blow at the very foundations of the rights of a free people to rule by majorities.

President Taft does not know, perhaps, that the people of the United States have become fearful that its court of last resort is controlled by the money power, and not once in his veto message does he broach upon the reason why the people desire a more responsive court to the interests of humanity in this progressive age, when every man knows the old competitive system is broken never to return and is looking for a solution of the question as to more equitable distribution of the products of labor

throughout the world with the machines now given to man, and which are and will constantly throw men out of work throughout the world. But the interests are not thinking of humanity or of the distant future—the present is for them to protect the system and prevent the passage of progressive laws, and they want elected judges to be responsive to them and not to the people. The idea of this ulterior motive may be erroneous, but when a supreme court can read words into a statute against the ideas upon which it was passed, it is not out of the question to believe the interests think they might secure such a decision as I have mentioned, especially as President Taft has so considerably paved the way. F. R. WHITCOMB.

THE RECALL IN HISTORY

Editor The Commoner: Representative government is fine in theory, but the experience of a century has shown that the men who are chosen by the people to represent them are not always true to their trust. They forget that they are only agents and assume magisterial functions, and so the people, who are the source of power, are adopting direct legislation. It is a radical change, a grand, progressive movement, a virtual political revolution.

A representative form of government has developed a class of unpatriotic persons who fatten by systematically corrupting the people's representatives. These men do not desire a change. They particularly condemn the "recall" and call it a new-fangled idea, forgetting or ignoring the fact that it is older than the constitution.

The articles of confederation, which was the organic law of the country previous to the adoption of the present constitution, were adopted on the 15th of November, 1777. Article 5 of that time-honored document contains the recall. It may be well for such of our reactionary fellow-citizens who may never have read it, or having read it have forgotten it, to read it again. It is as follows:

"Article V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct to meet in congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates, or any of them, at any time within the year and to send others in their stead for the remainder of the year."

This is where we get the recall. It is not new. Oakland, Cal. J. W. DULLIN.

PLAIN TALK WITH MR. FARMER AND MR. CONSUMER

George B. Welch, Bethany, Neb: We will suppose that you have a hired man and that he works faithful through the day, but during the night or during your indifference he steals more from you than he earns at other times; he continues on unmolested until he becomes your master in the financial world.

And that is the point I wish to impress on your minds. You have put men in Washington who have favored a protective tariff; that the corporations are controlling the laws, the prices, and the financial world. When will you awake to these facts and shake off your chains?

The first part of Reinga's Address to the Romans, I quote as showing the condition of the American people: "Friends, Romans and Countrymen: I come not here to talk. You know full well the story of our thralldom. We are slaves, a race of slaves, slaves to a horde of petty tyrants, feudal despots; rich in some dozen country villages, but only great in that strange spell, a name."

JOHN SMITH

All who know John Smith like him and he is known far beyond his neighborhood. He is fifty years old. Has practiced law successfully twenty-five years. He is a good citizen, with many fine qualities. But with all these he is not perfect. Like all other human beings he has his dislikes, his prejudices and his share of human frailties. He becomes a judge of some court. Still he is the same John Smith. His judgeship has not eliminated or changed any of his human frailties. He has not become infallible or perfect. Then why should he, as judge, be exempt from recall while others not judges equally as good, are liable. I favor applying the recall to all public officers. Hurrah for Arizona's constitution. The people want it. The president's veto on account of the recall of judges in that constitution is but driving nails in his political coffin. Yours for recall. Brandon, Miss. J. H. WHITFIELD.