

lay and languished during the revolution, some having spent as long as fourteen years therein, without trial, under the loved English court system. God save us from Taftism and the English system though our president yearned for that system as a child for its mother's breast, for well we know that when he does he has forgotten the milk of "human liberty."

The American judges, the Illinois judges in particular, Breese, Scholfield, White, Thorton, Phillips and many others have all been, and our present judges are, good, great, pure men, but it was not our English judicial system that made them great, but it was that which made Samuel, Solomon, Daniel and other judges great; it was their power to hear and ability to discern the truth and courage to do substantial justice for mankind and this distinguished them.

And this element will not be denied a jurist when he gets his office by election by direct vote of the people, rather than getting it by appointment of a president who says "the people are incompetent to judge."

How he separates himself from the people, is more than a common man can tell, unless they take his boast, "I am a lawyer. I am a judge; I revere the independence of the judiciary" to mean that he is possessed of a better heart and mind and a greater power than any voter humble or dignified, who, by his vote lifted him from the dust and made him president. Nevertheless we can not agree with him that he is superior to any other good citizen.

All judicial officers should be elected and the recall of judges is not, and never was adopted nor intended for any purpose, but to supplant and hold in check and prevent the corrupt judge and the corrupt "court rings" and takes the place of the English law of "impeachment" and is far more effective. If you ask why more effective we answer:

Since the beginning of English courts, A. D., 950, there has not been fifty judges impeached under this impeachment law in all the English speaking world, because, the machinery of the whole court is corrupted by the corruption of the judge, and how could the people obtain a hearing and who would dare to try to institute such a case, before a machine of the same kind? The common people of this age are not fools. Let any man go to any federal court or any state court and try to impeach any of the judges at the seat of that court and he will find that he has no more show than the proverbial "snowball," and this without saying that any court of this state or nation is corrupt or has been guilty of corruption, but upon the ground that the fact remains that within these courts and "court rings," as they exist under our present system and without the recall, they are a law unto themselves.

But with an intelligent recall, the measure of a man's appointment, how he gets the office, his former life, and employment, will be before the people, the quality of litigations likely to occur or that is in any way apparent; and then if corruption occur, the people, as electors, can take the matter up in their own court, the ballot box, and rid themselves of that evil, real or apparent, which would menace their rights, for a life-time or a term.

"Let there be light," were the words of God in the beginning—and a holy man said, "Men love darkness rather than light—because their deeds are evil." The people are entitled to know how every judge gets his appointment and how he gets his office and to vote for or against him and since by their personal vote they have a right to elect him as their servant; by their vote they should have a right to discharge that servant. To deny them this right is to seek to cover up, to obscure, to hide, and this is darkness.

The people are this government; the majority of the people are the voice of the people.

If by their voice they say they want a particular law, they should have it. If having it they wish to repeal it, they should be permitted to repeal it.

If by their voice they have selected a servant to do a particular work for them—i.e.—to dispense justice between two or more of their members, and they see their servant wrongfully favoring one to the wrongful hurt of the other they should have a right by peremptory removal, to convey to that unworthy servant the knowledge that they beheld his infamy and disapproved of it.

Did not all free men since the days of King John in the year 1215 A. D., clamor for jury trials? "That trial by one's peers?" Is it not in the bill of rights of our constitution? Was it not taken from our declaration of independence

"Shall the People Rule?" ---Pass It Along

The democratic precinct club organization work is now proceeding in an encouraging way. Every Commoner reader ought to help in this work. The headquarters of this movement has prepared a pledge to which it asks the signatures and address of all democrats who want to keep the democratic party true to its great mis-

sion. The Commoner prints herewith a copy of this pledge and asks every reader to clip the same and forward it to Senator Robert L. Owen, chairman Federation Democratic Precinct clubs, Washington, D. C. The headquarters will send out on request printed copies of this pledge. Here it is:

"Shall the People Rule? is the Overwhelming Issue"—Democratic National Platform, 1908.

PLEDGE The Presidency in 1912. Let Us Organize

I believe in **The Rule of the People**, and the party and the legal mechanism to make it effective; an **Honest Registration and Election Laws**, a thorough going **Corrupt Practices Act** and in the **Election of Senators** by the direct vote of the people.

I favor the election of party committeemen and of party delegates to the **Democratic National Convention of MEN** who are **KNOWN** to favor the **People's Rule Program** as above indicated and the progressive principles of the **Jeffersonian Democracy**.

It is of the utmost importance to the masses of the people that a man be nominated as candidate for the presidency who is **Democratic from Principle**, who is **Identified with the Progressive Movement** to bring the government closer to the people and make it responsive to the peoples' will and one who is **Courageous Enough** to lead a fight for such principles.

I will endeavor to attend all **Caucuses, Conventions and Primary Elections** of the party and will assist in organizing a **Democratic Precinct Club** in my precinct as a part of the **National Federation of Democrat Precinct Clubs** and will assist in making effective the principles above set forth in seeing that the Democrats are registered and attend the primaries and elections.

Name..... P. O.....

County..... R. F. D.....

NOTE—If you favor the above principles and desire to see them enacted into law kindly sign this slip and mail it to R. L. Owen, Chairman Federation Democratic Precinct Clubs, Washington, D. C.

(SEE OTHER SIDE)

On the reverse side of this pledge the following appears:

AN APPEAL

The time for action is at hand and we appeal to progressive democrats to immediately write for copies of the constitution, by-laws, organization blanks and literature for use in organizing precinct clubs that will affiliate with the State and National Federation of Democratic Precinct Clubs in an effort and determination to have the Democratic platform declare for progressive principles and to nominate candidates who are in sympathy with and who will wage a fight in behalf of the principles set forth in the platform. Address

THE FEDERATION OF DEMOCRATIC PRECINCT CLUBS
Bliss Building, Washington, D. C.

as written by Jefferson, the "muckraker?" Are not our jurors, judges of both the law and fact, in all criminal cases, even cases wherein our lives are at stake? Are not the judges and lawyers only assistants in such cases? If the jurors are competent in such cases, then why give the judges greater power against the people in matter of injunction and in civil matters? When the litigation comes between some poor person and some rich corporation if it be not to serve the interests of the corporation, why not then also accord to the poor litigant the same rights he would have if his life was at stake? When did the jury so suddenly lose its fitness and competency to judge of the law and the fact that it can not also be the judge of this last instance? When did the judge suddenly acquire a greater fitness to judge of this poor litigant's rights when his life was not at stake, than before? Is it to protect him? If to protect him, he needed protection before, when his life was at stake more than now from that reason. But money getting is a bloodless affair and men can steal and yet not take life; yet we have not forgotten how the wolf protected the lamb.

"Shall the people rule?" was the question between King George and the colonies.

"Shall the people rule?" was the question between the Tories and the patriots.

"Shall the people rule?" was the question before the colonies, when Jefferson wrote the declaration of independence.

"Shall the people rule?" was the question when Jackson fought the national banking system, which has resulted in panic after panic, and held the people in iron chains.

"Shall the people rule?" was the question

presented by the Dred Scott decision of the greatest court of our land, and of which Abraham Lincoln in reply to Stephen A. Douglas, said: "Yes, the Dred Scott decision is the determination of a high and mighty court, but I can see a time when a high and mighty common people will arise, and in their might, will overrule that decision."

"Shall the people rule?" sustained the fabric of our nation throughout the terrible war of rebellion, the re-construction period, but has now, as in the past, confronting and opposing it, fair-weather friends, who would sap its strength and bind its scarred and sacred body to the institutions and traditions of a king.

"Shall the people rule?" was the slogan of democracy in the last presidential campaign, and has ever been its watchword, and is today, the most burning issue and simply leaves us to decide, "Shall the clay reply unto the potter?" "Is the created thing to be greater than its creator?" "Is the judicial oligarchy created as an offspring between the traitorous representatives of a betrayed people and the hirelings of wealth, to be greater than the people who elect those representatives?"

"Shall the people rule?" Though a thousand politicians, masking under the name of president, should arise and say "that any appointive or any elective servant or servants should be supreme, and clothed with arbitrary power, beyond the reach of the ballot of the citizen," though I be branded "muckraker," and a "burden on mankind," I will bear it with the firm conviction, that such persons are not the friends of free government and I will stand on the teachings of Jefferson and will wait for the common people, as Lincoln did.