

jury reform; and we can so divide the forces up into kinds that no kind can have a majority."

I foresaw that before I left the governorship, and I requested that I might be present at a conference of the members of the present legislature. They came to that conference. We debated and fought out on the floor in the most candid possible manner the form of jury change which the majority of us could agree upon, and I for my part yielded my personal judgment with regard to the form. I believed then, as I believe now, that the safest thing is to make this a judicial process from top to bottom and that it is perfectly safe, and that it would be wise, to have jury commissions chosen by the justices of the supreme court of New Jersey. There were others quite as thoughtful as myself—certainly quite as honest as myself—who thought that it would be better to lodge the power of choosing the commissions in the hands of the circuit judges of the courts, and then there were others, and they turned out to be in the majority at that conference—or they seemed at the end of it to be in the majority—who thought that the governor ought to be given the right to name a jury commission in each of the counties. I, myself, though I had been governor of the state, did not think that that was the wisest form, but when the majority of my colleagues in that conference declared their preference for it, I yielded my preference, and other gentlemen present seemed to yield their preference. And it was settled, so far as the expression of the opinion of that conference was concerned, what the democratic platform meant. It meant jury commissions in the several counties appointed by the governor.

Ah, but there is a little string attached to a conference! If the governor is not present, it is a caucus and the members are bound; if the governor is present, it is not a caucus, but a conference, and the members are not bound. A very neat and significant distinction! In a public conference, where they are bound to show their hands, they do not bind their consciences. In private, where it is possible to make arrangements, they do bind themselves, not to the public, but to each other. So it seemed after this conference was over, and every man had had a chance to express his full convictions and his reasons for them, that everything was just as fluid as it was before; and some perfectly honest men allowed themselves to be made the instruments for defeating this measure, because they were persuaded that it was not in the form which they had favored. So it is that a very subtle Machiavelian hand has been thrust into this affair, and men have been persuaded that they were following their own convictions when they were making it impossible for the party to fulfill its pledges to the people.

Ladies and gentlemen, does anybody doubt that the people of New Jersey want this critical business put into other hands? I find in the state nowhere any doubt upon that subject, and if there were an election between now and next Tuesday, there would be no doubt what would be done next Tuesday, and there would be no doubt that some of the gentlemen who are going to try to do something next Tuesday would not be there to try. I have a little list. I could point out to you some gentlemen; but it is not worth pointing out to you many of the gentlemen in the Essex delegation, because they are all lumped in one. They are not distinguishable from one another. They are in the condition of fluid candy that has been too close neighbors. They are one lump, plumped into the box by the impulse of one will, and that not their own. Therefore, I would not take the pains to discriminate among that select eleven. It is not worth a thoughtful man's while. But there are gentlemen elsewhere, who can be picked out by name, in other counties, and if I should visit their county, I would be pleased to pick them out.

It does not do to be groping in this business. You want to know whom you are talking about, as well as what you are talking about. These gentlemen ought to be described according to their orbits. They do not belong in any solar system; they are erratic comets, and the attraction of gravitation which governs their course is to my mind incalculable. But it is worth while to point them out so that you may keep your eyes upon the evening sky and see to it that your community, at any rate, is not devastated by their fall. For their fall is easy to predict by one who is not an astronomer.

There are two things that the people of New Jersey determined to have and have not got. They determined to have jury reform and they determined to have a look at their own con-

stitution. But the gentlemen who made the present constitution of New Jersey looked a long way ahead. They said, "We may need this constitution some day, and we will make it of such a fashion that nobody can monkey with it, not even the people themselves." They limited the number of times you could suggest an amendment to the constitution within a given period of years. They said, "This thing is too exciting; do not try it too often. This is your own constitution, but your own constitution will not stand the pace. You had better live on your by-laws for a time; and five years at a time is not a bit too long to live on your by-laws and keep quiet. And after you begin to touch this delicate constitution, you have got to touch it twice, not once. You have got to pass it through two legislatures, in order that it may still have the chance of surviving the examination which its own makers, theoretically, have subjected it to."

Now, a constitution which is made in one age is not suitable to the circumstances of another age. The circumstances of the year 1913 are as unlike the circumstances of the year 1844 as the twentieth century is unlike the seventeenth century. Our whole economic and social and political system has been altered within the period which this constitution has served the people of New Jersey, and in my opinion it is just about time, not that the people of New Jersey asked themselves if they did not wish to do revolutionary things, but that the people of New Jersey asked themselves if it was not right to bring their fundamental regulations up to the circumstances of their own day. There is only one barrier, I am told, to that, and that is that Essex, for example, has so many more people in it than Cape May, for example, that it wants more representatives in the senate of this state than Cape May, in as large a proportion as its population outnumbers the population of Cape May; and certain astute gentlemen, who are afraid that certain other parts of that constitution will be changed, are playing upon that in order to prevent any constitutional change whatever. I say let's call their bluff, and propose to the legislators at Trenton that we allow the counties of this state equal representation in the constitutional convention. Because I would rather sacrifice one point than sacrifice the chances of the people of New Jersey to modernize their constitution.

The gentlemen who work politics in this state live in the very populous counties, and they are working this very natural, and I must say, it may be, very just, feeling for the purpose of preventing the things that they do care about by making more important the things that they do not really care about. They would like, it is true, to have in proportion as many senators to manipulate as there are assemblymen. If you leave the political machinery of the county in their hands, they will have just that many more pawns to play on the board. And they are interested in this question, if they are interested honestly at all, merely from the point of view of their numerical advantage in making the arrangements and interchanges of favors which they choose to make in the legislature of the state. Well, what are you going to do about it? Are you going to hold meetings? Are you going to listen to men and agree with men who are telling you what is the matter? Is that enough? This meeting is not going to change the result next Tuesday in the least, unless you see to it that your neighbors are just as much in earnest about this thing as you are; unless, perchance, the things that I am fortunate enough to have the opportunity to say tonight may kindle a little fire underneath these gentlemen. You have got to kindle fire under them. There used to be a time when there were only two things that would move them—fodder held just before them and a fire built underneath them. Fodder has gone out of fashion.

Nobody suspects—at any rate, I do not suspect—direct corruption of any kind in this matter. It is the astute misleading of the will that is being done in Trenton. Men are being lined up upon their private convictions, when every man who loves his public duty ought to pull his private convictions with other men's and get the main thing out of the result, like a sensible and honorable man. But all these intricate suggestions of differences of individual opinion are made to hold up the whole process and chill the whole atmosphere, and make men look at each other as those who are in love with their individual prescriptions against the earthquake. And there is going to be an earthquake unless something happens to settle the earth before that time. I am not speaking in jest. I am speaking in earnest. The people of this

country and of this state are going to have what they know they ought to get by one process or another. I pray God that it may not be the wrong process! I have the greatest confidence in the self-control, the public spirit, the legal conscience, of the people of America, and I do not myself believe that dangerous things will happen, but I warn these gentlemen not too long to show the people of this country that justice can not be got by the ordinary processes of the law. I warn them to stand out of the sovereign's way.

I have traveled from one end of this country to the other, ladies and gentlemen, and I have looked into the faces of many audiences. I have never seen any symptom of riot. I have never seen any symptom that men were going to kick over the traces of the laws they themselves had sanctioned and made, but I have seen a great majesty seated upon their countenances, an infinite patience, but also an indomitable will. They are sitting now and watching their public men; and this is the test; this is the trial; this is the ultimate seat of judgment; and if these men will not serve them, they will be swept like the chaff before the wind and other men more honest, more brave, more wholesome, with the freshness of a new day upon them and with eyes that see the countrysides and the spaces where men are cool and thoughtful and determined, shall come to the front and lead them to a day of victory; when America will be crowned with a new wreath of self-revelation and of self-discovery; and these pitiful creatures who have put their ugly bulk in the way will have disappeared like the dust under the wheels of the chariots of God.

It is this hope, it is this confidence, that keeps a president of the United States alive; it is this confidence that makes it good to come back to Jersey and fight for the old cause.

#### SECRETARY McADOO'S GOOD WORK

Des Moines, Ia., May 6th.—To The Editor of The Commoner: President Wilson and the members of the cabinet and of congress are carrying out faithfully the pledges of the party platform; this is something which has never been done by any administration within my memory and I wish you to realize as fully as possible how greatly the people appreciate what is being done.

The democrats have directed me to forward to you for publication the enclosed resolutions and it gives me great pleasure to do so. Yours very truly,  
H. G. GUE.

At a meeting of Des Moines democrats, held at the Wilson club headquarters the recent action of the secretary of treasury regarding government deposits was considered and the following resolutions were unanimously adopted:

"Whereas, Hon. William G. McAdoo, our able secretary of the treasury, has recently abolished the unwise and unfair system of hoarding the surplus funds of the United States in the treasury vaults or depositing them without interest; has required all national banks receiving government deposits to pay 2 per cent interest thereon and has allowed state, city and county bonds to be received as security for such deposits. Now, therefore, be it

"Resolved, by the democrats of Des Moines that this change in policy by which, for the first time in history, the treasury department has placed these matters upon a fair and equitable basis, is most satisfactory to the democrats of this city. That we most heartily indorse and commend this action of our secretary of the treasury and thank him for changing from republican methods to those of progressive democracy."

#### HOW THE INCOME TAX WILL WORK

Just how the income tax provision of the democratic tariff bill is going to work, is presented in the following computation made by a New Jersey paper in figuring on the proposition:

"Mr. A— is a dry goods merchant, with a business of his own, but not incorporated. He owns his store in Newark and derives a gross income of \$100,000 a year. Out of his past profits he has invested \$200,000 in two apartment houses, the rentals from which bring him \$20,000 annually; and \$12,000 additional he has invested in the capital stock of three domestic corporations as follows: \$10,000 in one, \$1,500 in another and \$500 in the third; the dividends paid by each corporation for the previous year having been five per cent. There is a mortgage of \$50,000 at five per cent per annum on his store property, but otherwise his real estate is