Amend the Constitution When Necessary Do NOT Abolish It



United States government the supreme court of the United States has been one of the chief the written constitution upon which our government is founded. In recent years there has been much thoughtless criticism of the supreme court. This criticism has been due to the fact that the supreme court has declared certain laws passed by congress to be unconstitutional, paign this issue is brought squarely to the front by the proposal of La Follette and those who are backing his candidacy. He proposes that congress shall have the power to over-ride the supreme court. It is urged that any law declared by the court to be unconstitutional shall become the law of the land notwithstanding the decision of the supreme court if it is passed by congress a second time. In effect this would abolish and wipe out one of the most important of the "checks and balances" which was provided when the constitution was

It must be kept in mind that the supreme power in the United States rests in the people. The people in turn have delegated their power to the legislatures of the several states. The legislatures of the states may pass any law which the constitutions of the states do not expressively prohibit. The Constitution of the United States, however, is an entirely different instrument Congress is a body of limited authority, its power is limited expressly by the constitution.

Congress may enact only such legislation as the constitution gives them permission to enact. The constitution specifically sets out those things which congress may do and it may do nothing else. As a safeguard, and in order that the limitations of congress might be thoroughly understood, the Constitution also expressly sets out certain things which congress may

It is well at this time, with the La Follette proposal in mind, to take down the Constitution of the United States and read it over carefully.

The first income tax law was declared unconstitutional for the reason that the constitution, as originally adopted, provided that no direct tax shall be laid except in accordance with the enumeration of the secondance with population. This cituation was overcome by the adoption of an amendment to the con-

to levy a tax based on income

The supreme court has twice de-

clared certain anti-child labor laws unconstitutional. The constitution is plain on this point. Congress has no power to regulate the conduct of business in the several states. The first anti-child legislation sought to prohibit the transportation of the products of child labor in interstate commerce. The secand anti-child labor law sought to prohibit child labor through a system of taxes. The supreme court held to both instances that the proposal was a subterfuge. That congress did not have the power to regulate business in the keveral states under the cloak either of regulating interstate commerce or levying a tax.

There is now before the legislatures of the states a proposition giving congress the right to provide for the abolition of child labor. Under this amendment, if adopted, a law may be properly passed putting an end for all time to child labor. This method is in entire accord and within the spirit of the con-

The La Follette proposal, however, goes much beyond this and would give to congress at any time the right to pass any legislation no matter how definitely opposed to the guarantees of the constitution by the simple expedient of passing

The guaranty of American freedom which the constitution contains is too important to be thus idly set aside. The struggles of the revolutionary war, the bitter fights to preserve the freedom of the American people are too precious a heritage to be swept aside by any thoughtless proposal that would to all intents and purposes nulify the

The income tax is a wise and necessary tax. The right of congress to levy such a tax has been secured in the way that the constitution provides, namely by an amendment to the constitution.

All enlightened citizens agree that child labor in industry should be prohibited. However great may be the curse of child labor, it is not equal to the curse that would follow the practical nullification of the

If the American people earnestly child labor, it can be accomplished. It is now on the way to accomplishment, through the adoption of an amendment to the constitution.

Impatience should not rule in

tion was bought with blood and treasure. It means too much to the welfare of generations down by politicians who seek to advance their personal ends by criticizing its provisions.

It is the duty of the United States supreme court under the constitution to call a halt to any legislature which is opposed to the fundamental guarantees of the constitu-

It would seem that notwithstanding the desire for quick reform. no one upon second thought, can support the LaFollette proposal, which would hamstring the supreme court and take from the American people one of the basic guarantees of the continuance of their liberty.

The fact that we now have an income tax does not prove that the supreme court was wrong when it law to be unconstitutional. It proves that the supreme court was right. We have an income tax today, because it was provided for under the terms of the constitution itself-by means of an amendment to the constitution. The efforts

an amendment to the constitution to permit legislation prohibiting child labor also proves that the suclared the two child labor laws passed by congress to be unconstitutional.

The net effect of a decision by the supreme court, declaring any law to be unconstitutional, is that It is an advice on that subject to congress. With such advice before them congress may proceed to act accordingly. If the desired legislation is genuinely important-as the income tax and the child labor law -it can be enacted into law by means of an amendment to the con-

If the constitution is to beamended it is infinitely eafer to do it through the affirmative action of the legislatures of three-fourths of the states-than to turn over that authority to conrgress.

The building of the United States government was not accomplished in a day. It can, however, be destroyed in a day unless the American people watch with care and vote with care upon any proposition which seeks to destroy the con-

Our Public Servants

The Fireman at the Station.

Doesn't he lead the easy life old hour of the day or night is his the shadows. Nobody in parliament though? Just sits around the station business. That's what he is paid for, all day, or all night, and not a bloomism't it? But just supposin' it was ing thing to do your baby that he saved from burn-cludes second-rate people. It's against

Yes, like the old your baby.

headfirst into that fire station?

rible death.

but play checkers ing to death by risking his own life or read the newsto save it—is he getting enough pay
for that sort of thing? Not when it's

nature. You might as soon expect
congress to scrap the American con
papers. woman who kept He may be a little rough in his general election in England or

Somebody has up in the niceties of the polite so-al method." to polish that en ciety in which you move. He probgine, or that hose ably would wear a dress suit with or that about as much abandon as a hen chemical appara would a sock over its nose, but polite tus. And some language and the ability to dance the body has to keep fox trot, and the ability to wear a the station as dress suit gracefully are not prime esthe station as dress suit gracefully and fighting "There has to be an organization of international affairs to prevent

And somebody has "the yellow streak" in the face of with security, world transport at to draw that load danger? Nary a time. The fellows standard charges, the re-establish ed hose into a with the organ stripe up their spines ment of a workable world currency

to rescus one of heroes, and towering monuments Have you ever met the average store, or one who carries a hod, or our loved ones have been erected to men who never voter?" from a most hor faced death more cheerfully than those fellows you see sitting around ple as you do." That's how easy the fire stations, seemingly listless and indifferent, but in reality on edge My friend paused and then re- an' be organized an' pay dues t' be a git it.

once had during the Boer War with build up modern England. Will any dom to damp down the hidden fuses one of the ablest but most cynical one do the like for modern Europe? There will still remain the falling bur the remaining two-thirds are in all politicians that ever appeared in the British house of commons-Sir John Gorst. He was a man of extraordi wars Europe was free from great in be borne after the workmen of Ger one day such a rising of the Galician nary detachment of mind. The disternational conflicts. There was a many thoroughly realize that it peasantry as we witnessed in Ireland appointments of life and notably the great deal of internal commotion comes out of their cupboards? And a few years ago, will a regenerated shabbiness with which his party had amongst people which found vent in how will it be thrown off? With vio- and restored Russia look on with rewarded his services had embittered revolutions and uprisings, but "na- lence or by wile? him and alienated him from his fel- tion did not lift hand against nation" lows, but it also enabled him to view until the Crimean war of 1854. One human affairs with a complete free reason for that is not without its Germany puts in its claim for revision iom from partisanship. Human Nature Demands War.

essation of the great conflict.

'patriots' were angry with me. No not have tarried for 55 years. Mr. Winston

London, Aug. 30 .- (By Cable.)-Whilst the actors of the various count of truth in it. Man is the most comtures. The galleries of Versailles to be an intolerable menace to the ries engage; in the London confer bative of all animals. He loves a with their mural scenes of bloody great Russian port of Odessa. How ence are decking their brows with fight for its own sake. He always prowess stimulate emulation and not long will Russia with its enormous laurels for their share in the "famous persuades himself that it is the cause fear or disgust. They scintillate with population and its gigantic resources victory" and whilst we are waiting which interests him when often it is the thrill of war, and the myriads of calmly acquiesce in "settlements" for the next move, there is time to more the excitement of the struggle. Frenchmen who gaze annually on which its people regard as an insuflook around and survey the real situa. Englishmen and Welshmen fought those battle pictures will feel the stir ferable wrong to their race? It will tion of the world five years after the heroically and even more tenaciously of pride in a race that produced such

tracting countries alike dislikes the divine right. But a time comes in The follies committed during the last it will want to know what happened pact, but even if it falls to materialize all these struggles when the nerve five years of hostile occupation of to its heritage when it was stricken there will be no immediate catastro of pugnacity becomes cloyed with German territory are fermenting in by fever phe. The best hope of peace is to satiated emotion or exhausted by the German breasts into explosive acids be found in the fact that the present protracted strain. Then comes the ready to the hand of the mischief Then there is the question of Gageneration has had enough of fight- reign of peace and the opportunity maker. The London settlement may licia. Here Poland is holding town generation has had enough of light reign of peace and the opportunity have arrived in time to avert catas by main force a province where bare in the most savage in of the peace lover. The Tudors made have arrived in time to avert catas by main force a province where bare trophe. There is still time for wis ly one-third of the people are Polich Glorifying Conflict.

was over the hostile armies retired of leader will it possess at that critical The boundaries of Greece, Serbia and

time in a somewhat lonely parlia for carrying out the terms of peace. be a Ludendorff or a Stresseman? dary must raise the same ethnic and mentary struggle against what I If the Prussians had remained for The peace of the world depends on religious disputes as Tyrone and Ferconceived to be an unjust attack on 15 years after Waterloo on French the answer which destiny gives to managh excite in Ireland. These are two South African republics. All the soil the Franco-Prussian war would these questions. And there are others. some of the prospective quarrels of But the friends of peace would do in Westphalia, and there are trouble-Churchill—would speak to me, and at well not to overlook Sir John Gorst's charged problems not touched by the some continent in this contentious

least half of the liberal party shunned cold-blooded observation about the Dawes report or even by the treaty world? Is the Pacific as calm as its me. I was standing one day at the psychology of wars. Reformers, to be of Versailles. bar of the house when the brilliant successful, must take into account

the flight of years from the genera-All the same, there is an element tion of experience into the era of picfor the color of a rose than they did warriors. The world is strewn with throws off this bolshevist disease Nationalist sentiment in all con-later for freedom of conscience and material for international quarrels. Which is preying on its vitals. Then den of reparations, becoming heavier these respects more in sympathy with For 40 years after the Napoleonic as the years pass. How long will it Ukrainian Russia. Should there be

Leaders Al Important.

What mood will France be in when brethren esson for today. Soon after that war of the Dawes terms? What manner that boiling crater of eastern Europe. No enthusiasm for party creeds or within their own frontiers and there time? Will it be a Poincare or a Bulgaria are in the nature of things deals clouded his vision of things as was no prolonged occupation of enemy Briand? And what kind of leaderthey were. I was occupied at the territory under guise of guarantee ship will Germany follow? Will it Macedonia is so mixed that any boun-War-tormented Europe does not end Europe.

In eastern Europe there are many ministerial pariah, Sir John Gorst, all the passions of human nature—evil "settlements" that cause endless fric- I think President Coolidge has heard came up to me and said in his cold, as well as good. National pride bids tion and anger. These have nothing of at least one. Dangerous as that tones: "You think this war writers and speakers to dwell on the to do with Versailles. I observe that is, it is by no means the is being waged to satisfy our greedy glories of past struggles. The suffer- when the Angio-Russian treaty was China cannot go on smouldering for desire for the gold mines of Johannes ings are depicted only as a means of signed at the foreign office the chief ever. Who will be allowed to put ou burg, Mr. Chamberlain thinks we are enhancing the heroism that endured soviet delegate, Mr. Rakovsky, read the fires? And what will happen fighting to win equal rights for all and overcame them. The generation out a declaration as to the attitude then? All things point to one con white men south of the Zambesi that passed through horror and squal- of the soviet government towards the clusion. That the wisdom of this gen river. You are both wrong. We are or will not be anxious to repeat its territorial arrangements made by the eration ought to take advantage of in this war because there has been experiences. But that generation is various peace treaties. This is an the present ebb tide of passion to no blood letting for over a genera- passing away and a new generation ominous announcement. The terms build a plid and enduring embant tion, and human nature can not is coming in that knows nothing of of that declaration have not yet been ment against a return of the flood stand it any longer. It was overdue, the terrors and discomforts of the published. But they ought to be. It There is no time to lose. The strucand if we had not fought the Boers great war, but will be drenched by is not, however, difficult to conjecture ture when built will take years ere it we should have had a more serious historians, novelists, writers and art- their character. Russia is dissatisfied is water-tight. It will take years to conflict with some continental power. ists of every description with its with the frontiers imposed upon it by solidfy its cement. It will require a We have never had such a prolonged glories. Young men who were too the treaty of Riga and by the Ru-long experience to find out its cracks period of peace." At that time I young for military service in 1918 manian annexation of Bessarabia. The and weaknesses. There must be chought it a horrible doctrine to pro-pound and I did not believe that it constitute a majority on every election. White Russia which contain a

Lloyd George Foresees Great Opportunities for Reconstruction and tradition. The latter is supposed one day recover its strength when it

by both language and religion, and folded arms whilst that insurrection

And we have the Balkans unsatisfactory. The population of

name implies? Are there no problems

Triviality of Democracy and Feminine Influence in Politics

By H. G. WELLS. (Author of Outline of History) London, Aug. 30.-The other day I was discussing the political outlook in Great Britain with a very close ngures in public affairs and we were

ng by they, our bright-eyed millions of voters. "They can't grasp ideas like that-new, diffcult ideas. It takes 10 minutes' attention to understand proportional representation. You can't go to the country with a thing

ficulties with money, with Europe, campaign. with India.

y friend. "Parliaments can't."

polls, an' what will th' party git that best clothes.

"Most of the labor party promised gits it?" my friend. "Parliaments can't." to support proportional representa-

tion at the last election." "And ran away from it. There was a tuppeny ha'penny advantage in cheating on that, so of course they They'll run away from everything except office. They're just a lot of poor things who've spent too much money on court clothes and in dressing up their wives and daughters fit and proper for the garden parties and they want to get the wear out of it all before they go back into who isn't conspicuous, is going to let nature. You might as soon expect stitution. You'll never live to see a language at times. He may not be America that isn't fought on thoroughly silly lines-on the old, elector "But think of the tasks that lie

before the world!" "Why Think at All!"

"What's the good of thinking of them?" asked my friend. "It only worries von."

wife's best room. Ever hear of a fireman showing war, there has to be disarmament

tice, and some shouldn't give him a smile and a "They may be done behind the backs

keep out o' mischief. "But your head's in the clouds."

dealing with the fundamental law | Of course risking his life at any every minute, waiting for the alarm. marked with malignant satisfaction, laborer,

"The next big question for England try to understand. Obviously that than you are. They know." So and Silly Voters.

knowledge, but what is obvious to you "Exactly. Thats why it's going to or me isn't obvious to them. What and shrewd observer of political mo- be primary. It's trivial enough for a is the vote-catching value of spending lives. I live very much in a dream democracy to be really earnest about money on scientific and social and detestably right about his facts. He of a saner world and he lives in it. Take international settlements political research? What is the vote- said that making prohibition a part active reaction to the passing hour, and war possibilities; these are infi-catching value of raising the school of the American but we both knew most of the leading nitely more important things, I grant age to 16? That only makes the sillest thing in history; one might But what does the average grown-up voter jealous of the next hold the extremest temperance views you. surveying the present extraordinary voter know about them. There are generation. But prohibition, shutting and still understand that a matter of ragmentation of parties in parlia- possibilities of enslavement, of blood the public house round the corner, personal health and conduct should -for even the labor party now and death, of millions of the silly every man and woman understands have no part in the fundamental laws s hardly on speaking terms with rabbits being scared and starved and that and the women will vote for it of a state. But the American citizen itself and has nothing but office to mutilated and killed in international anyhow, blind to every other consid- had lost any idea of what a constihold it together. His thoughts ran conflicts. But these voters of yours cration. That is something they can tution was. Presently the American much more on personalities than mine can't grasp the complexity of that, understand and the peace of the woman might put a morn did. Was Mr. Asquith played out? They want peace, of course, but they world, the volume of trade and eco-Would Lloyd George "come back?" don't know what makes peace. So nomic justice may go hang so long weighing of babies or the universa What was the future of Lord Birken- everybody puts peace on the party as son and husband can be shut and use of tooth-brushes. Or they might head? Would Mr. Baldwin ever be platform, peace and the league of na- barred from the drink. Interference require every married man and wo brighter and better? Was Mr. Mas- tions, or peace and conscription, "be with the personal habits of other peo- man to carry his or her marirage terman the resuscitated hope of the prepared," or peace and isolation, ple is innate in women, they acquire lines conspicuously displayed upon the liberal party? Was there anyone of peace and the dear old flag. It it as sisters, wives and mothers. The person like the bright little license on any promise at all in the labor party? doesn't matter. The poor mutts can't enfranchisement of women was the an English motor car. These were grasp it at all. Talk of that kind of last step in the devotion of democ- the things they held important. Eng-Unlike my friend I do not go about thing, argument about that kind of racy to futility. It ended the last land was going the same way, follow ulling incompatible posies of politi- thing only confuses and wearies possibilities of constructive legisla- ing a few years behind America, be I have no interest in gather them. It doesn't count in politics, tion and inaugurated the age of re- cause it was a country of more deep ng together a marketable bunch. The and then there's the currency and fi- straint." failure of party government, the dis- nance. Even the bankers don't under- He went on to sketch the growth dences, but I might rest assured it solution of all British parties, cheers stand that-snd most of them don't of the prohibitionist movement in would get to the same end. In 20 years and pleases me. Great Britain, I said, want to. Prices go up and down and England; the drift of politicians to time there will be no politics left in would have to lead the way to a new credit expands and contracts and the wards a defined attitude in the mat-

stage of democratic government and rabbits get suddenly well off and full ter; the way in which the question and minor, moralties and the big get itself a legislature of a more of conceit or they get out of of work could be used to thrust aside wider things of human life will be managed manageable size elected by propor- and starved and driven to suicide, and more abstract issues. "Watch the in some other fashion. but it's all quite beyond them how it speeches of Lloyd George," he said. happens, and it gives them a head- "Watch the speeches of the pushing very difficult to gainsay him. "They won't," said my friend, mean- ache and a vicious temper even to young men. They are nearer to it

don't know and obviously therefore so said this yesterday and so and so they ought to be concerned for said that last week. America's Foolishness

He produced an effect of being ly established disciplines and diffi

Thus my friend and I found it

ABE MARTIN

On Th' Labor Vote

Th' old labor vote scare has been | A feller kin be a laborer an' wear are both workin' hard t' pay fer a "But unless we get a more efficient renovated an' rubbed with arnica an' legislature how can we tackle our dif- led int' th' p'litical arena fer th' fall

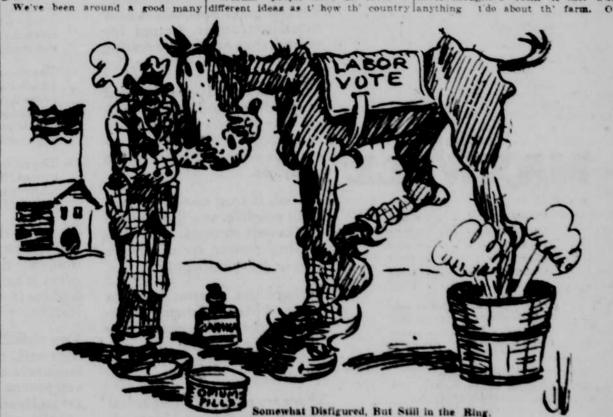
"We don't tackle difficulties." said vote, an' who's goin' t' lead it t' th' ther's 30 workin' jest as hard in ther votin'. Fer years th' farmer, th

nifty clothes an' paddle his own home, but they vote in opposite direccance.

What is this thing called th' labor | Fer ever' laborer wearin' overalls

Workin' people have all sorts o' never thought o' votin' if ther wux

an' he wants t' take th' railroads. There's no hard and fast rule fe most down-trodden laborer o' all



nery hell, and never last long enough to get on the the development of education through years an' we've never seen th' labor should be run.

A laborin' man is a feller or wobody has to dive wave of the hand as you go by the of the politicians-if there are inter- man that works in a stone quarry, in favor of a stiffer duty on sugar lars t' spend we wouldn't worry a ests and intelligences big enough to or a bank, or a foundry, or a gro when it snows too deep t' do cement minute about th' "labor vote." We've pinned medals on lesser want them and organize them, but -- cery, or a livery stable, or a millinery work.

"I know, I suppose, as many peo that works fer a livin', or jest work hard, at th' Monarch 5 & 10. involved. We don't have t' wear blue denim All o' them would work if they could snowed under while waitin' for th'

|course if it pours down rain he'll somebody has to play with death at a minute's noat a minute's nofire, but is that any reason why you done by parliament," said my friend.

out the world—"

vote huddled t'gether an' peradin' t'
Fish Buckley, master horse clipknock off an' vote ever' which way, per o' th' O. K. livery barn, leans to but he never misses a circus provide.

What is a laborin' man?

ward Wall street, an' Niles Turner's lif we was managin' a big p'litheal son-in-law don't do nothin' but argue party with a couple o' million dolgo after th' indifferent vote, th' mil-Take th' First Voters' Coolidge lions of people who never vote one club! All three o' them work, and way or th other, no matter what

Take th' First Voters' Davis club! Many a good cannydate has been "labor vote" t' show up. We know a feller an' his wife that !