him for his vote before he had told his colleagues about it, and as soon as he could get to the public prosecutor he turned the money over to him as the necessary proofs for successful prosecution.

Nothing could be more despicable in the conduct of a Colorado publicist. This man was a traitor to his craft, bent on revealing its secret work, and therefore must be disciplined. And disciplined he was in the pitiable weak way of a legislature that notoriously sold itself out in the selection of a millionaire senator whose chief qualification for the place was his possession of the price and his readiness as a producer.

Before such a body no man with an honest purpose such as Morgan at least may have had, could hope to get a fair hearing, and if half that is openly proclaimed of the deception and cunning practiced to compass his humiliation is true, nothing in the odoriferous record of Colorado politics approaches in vicious, shameless political depravity the expulsion of Senator Morgan. Not even the injection of the odious bull pen into politics nor the theft of the governorship compares with this dastardly degradation of a man whose offense was an effort to expose bribery.

To be expelled from such a body as the Colorado legislature must, to those who have kept in casual touch with the tempestuous trend of politics in that state commend itself as something of an honor to be coveted. Perhaps Morgan may not have been entirely blameless, or perhaps his work was crude and spectacular, but in view of the deceptions practiced upon him to prevent him from appearing in his own behalf, his expulsion in the manner and for the cause for which it was effected, will wipe his record clean in the minds of honest men.

PATHS OF PEACE.

A riot on an Oregon railroad is caused by a discharge of white laborers to make room for Japanese. This timely incident should add piquancy to the negotiations now going on in Washinton with the San Francisco school board. Hourly telegrams from home urging the deputation to stand firm for hearth and home and Japanless schools add further to the picturesqueness of the parley. Fortunately there does not seem to be a trace of dynamite in the case. It is only necessary so to adjust matters that both San Francisco and Japan shall have their own way, and this is easy. San Francisco must treat all foreigners alike, including Japanese. So she must not segregate the Japanese. This saves Japanese pride. But there is no objection to establishing special schools for the accommodation of pupils who cannot speak English. The non-English speaking child does not get a fair show in a school whose language he knows nothing of, anyway. If this policy should happen to segregate the Japanese it is only a hap, and yet it saves the San Francisco pride. Then it remains to attack the source of the whole trouble, the Pacific coast dread of labor competition from the orient, the latest evidence of which is Sunday's Oregon incident. What could be more fair than that Japan should exclude American labor and America in turn exclude Japanese labor? As luck has it, the present treaty with Japan expires by limitation in about a month and Japan is said to be ready to make that bargain in a new treaty. Japan wants her emigrants to go to Manchuria anyway, and no American laborer has a wish to hire out in Japan. How is it possible to quarrel where there is so perfect a union of mind and interest?

TWO SIDES, AS USUAL.

When it is remembered that some of the best literature has made use of crime and trials for crime to serve not only dramatic but moral and intellectual ends, the assumption that all interest in such trials as the one now in progress in New York is of the morbid order appears altogether erroneous. If it is ever worth while to know human life at its worst, and it is always dangerous to argue in favor of suppressing cold fact, then the Thaw trial affords a means of education divested of the doubtful reality of the story book. There are few lawyers, and probably few doctors, with a keen interest in their profession who have not followed the case with close attention. The examination of expert witnesses, requiring a thorough knowledge on the part of the trial lawyer of phases of medical science, has particularly interested the lawyers. One lawyer, not knowing but he may be in need of such special knowledge at any time, writes this paper for explanations of terms used by Mr. Jerome in cross examining Dr. Wylie. Of course morbid minds are peculiarly liable to dwell upon such cases. Possibly some such minds are set by knowledge of this crime upon ambitious efforts to devise and perpetrate a crime of more remarkable circumstance. This involves the other side of the matter, and a most perplexing side.

A HALT FOR COUNTY OPTION.

The defeat of county option in the senate by the vote of twenty to eleven seems on the surface to be decisive, but it will probably be found to be the beginning and not the end of the agitation against the saloon in Nebraska. The apparent ease with which the bill was defeated was due more to the absence of this issue from the campaign last fall than to opposition to the measure among the people. Other issues are just now felt to be more important, not because they are so, perhaps, but because recent events have brought them more sharply to public attention. After the matters dealt with in the republican platform of 1906 are disposed of it will be possible to make the saloon an issue in this state, and when that time comes an advance on the Slocumb law can be brought about in one campaign.

While the present failure will prove a serious disappointment to many good citizens, they have no reason to be discouraged or to resolve that in the future they will fight for state wide prohibition or nothing. The policy of squeezing out the saloon by the slower but more certain policy of local option and a steadily advancing license fee need not be given up because of the action of the senate yesterday.

CHINESE EXCLUSION.

Power of Banishment Possessed by Immigration Officers.

The highest court of our country, says ex-Secretary of State John W. Foster in the Independent, has decided that due process of law is granted by the hearing before the immigration official; that trial by jury may be in the same way superseded; that a citizen may suffer the infamous punishment of perpetual banishment from the land of his birth by the same procedure, and that the writ of habeas corpus, so dearly prized as "the remedy which the law gives for the enforcement of the civil right of personal liberty," is ineffective against the decision of an obscure immigration officer.

Under the authority of the laws passed by congress for the exclusion of Chinese laborers a series of rules have been adopted by the immigration bureau. These rules provide that when a Chinese person arrives at a port or on the frontier of the United States the immigration officer shall prevent the Chinese person from having communication with any one but the officer; that the officer shall examine him in private touching his right to admission, without any opportunity to secure the assistance of an attorney or friend, and that only such witnesses shall be heard as the examining officer shall designate, and they examined in private. In this way the right of the Chinese applicant to admission is determined. If admission is denied, the applicant is advised of his right of appeal to the secretary of commerce and labor, when he can employ counsel, who is permitted, upon filing notice of appeal, to examine, but not to copy, the ex parte evidence taken by the immigration officer.

Notice of appeal must be filed within two days, and within three days a record of the case, including new affidavits (for there is no open or public hearing), must be forwarded to Washington. The burden of proof is placed on the Chinese person, and in every doubtful case the benefit of the doubt is given to the government. No provision is made for summoning witnesss from a distance (for instance, from the state in the applicant was born) or taking depositions. Well might Mr. Justice Brewer ask:

"If this be not a star chamber proceeding of the most stringent sort, what more is necessary to make it one? I do not see how any one can read these rules and hold that they constitute due process of law for the arrest and deportation of a citizen of the United States."

And this in a case where the applicant had been judicially determined to be an American citizen. Under such circumstances the justice quoted and the two colleagues who unite with him in dissent (Justices Peckham and Day) are justified in the declaration, "Such a decision is appalling."

The Beet Sugar Showing.

(Boston Transcript.)

In his report to the president, the secretary of agriculture estimated the beet sugar production of the country for 1906 at 750,000 long tons, valued at $34,000,000. This he contrasted with the crop seven years ago, which amounted to $7,000,000. As a matter of fact, on the basis of figures later than his, the season's crop will aggregate about 750,000 tons at a valuation of considerably over $40,000,000.

ADVANTAGES OF PRIMARY

The advantages of "direct primary" were recently set forth in an interesting way in the Arena, by Ira Cross of Madison, Wis. From Mr. Cross's article these extracts are taken:

All attempts at reforming the caucus and the convention have resulted in dismal failures. New York, California, and Cook county, Illinois, which have the most highly legalized caucus-systems,, are still boss-ridden and machine-controlled.

There can be but one remedy—the government must be brought back to the people. They must be given the power to directly nominate their party candidates. If they are sufficiently intelligent to directly elect them by means of the Australian ballot they are sufficiently intelligent to directly nominate them.

Experience with the direct primary in thirty-two states, where it is now being used in one form or other shows that every good direct primary law, whether applied to city, county or state, must have the following five essentials: (1) It must be compulsory upon all parties; (2) the Australian ballot must be used; (3) all primaries must be held under state regulations; (4) the state must bear the expense; (5) all parties must hold their primaries at the same place and time. Under a system of direct nominations one of the registration days is set aside for the primary. The voter goes to the polls, registers, receives a ballot containing a list of the candidates, and votes directly for the men of his choice. Nothing could be more simple in operation than this. It places in the hands of the voters the power to nominate their party candidates, and in all sane governments that is where it should be placed.

The real tests of any nominating system, however, are (1) the number of voters that take part in the primaries, and (2) the kind of candidates nominated.

Under the caucus system, no matter how highly legalized, the voters will not take part in making the nominations. They are not even interested, for in the caucuses they do not nominate candidates, they only elect delegates, and a delegate, no matter how honest he may be, cannot correctly represent the wishes of his constituents upon all, and quite often not even upon a small portion, of the candidates to be nominated in the convention. Do the facts uphold the argument? Take the caucus system at its best and what do we find? In San Francisco, New York city, and Cook county, Illinois, which places since 1901, 1900 and 1899 respectively, have had the most highly legalized and reformed caucus systems in the United States, an average of but 39 per cent of the voters of San Francisco, 41 per cent of those in New York ,and 38 per cent of those in Cook county, Illinois, take part in making nominations. If but this small number of people attend the caucuses when such great care is taken to protect the voice and will of the people, what a handful must turn out in those states in which few if any legal regulations are thrown around the nominating machinery? Under the caucus system the resulting government cannot represent the will of the majority. It can only represent the will of the minority, and it is to this small minority (composed though it usually is of men who are in politics for what there is in it) that our officials are directly responsible, not only for their nomination but also for their subsequent election.

On the other hand, it cannot be denied that the direct primary greatly increases the attendance at the primaries. The reason for this is that it gives the voters a real voice in making party nominations. They can express their choice upon all candidates from governor down to justice of the peace, and by this means are able to exert a direct influence upon the final results.

In Cleveland, O., under the old caucus system, only 5,000 voters took part in nominating the republican candidates for city offices in 1892, but in 1893, when they used one of the most poorly framed and extra legal primary systems imaginable, over 14,000 republicans turned out. This number increased to 23,000 in 1896, to 28,000 in 1899, and to 31,000 in 1901, the vote at the primaries during these years averaging more than 95 per cent of the vote cast by the republicans at the subsequent elections. In Crawford county, Pennsylvania, where the direct primary has been used since 1860, the average attendance at the primaries has been more that 73 per cent. In the Twenty-fifth congressional district, where the system has been used since 1890, 77 per cent of the voters have made the nominations. Even where there was no contest, as was the case in 1894 and 1900, more than 62 per cent of the voters attended the primaries. What other portion of the United States can show such a record as this? "In Minneapolis," writes Mr. Day of that city, "under a highly legalized caucus system but eight per cent of the voters attended the caucuses." Under the direct primary, however, 91 per cent of the voters atended in 1900, 85 per cent in 1902, an off-year, and 93 per cent in 1904. In Hennepin county, Minnesota, in 1904, over 97 per cent of the voters took part in making congressional nominations. In the same year the returns from eighteen counties, scattered indiscriminately throughout Minnesota (all the returns that could be obtained), showed that over 72 per cent of the voters took part in the primaries. These figures show most conclusively that the difficulty is not the apathy of the people. Their civic patriotism is as strong as it has ever been in years past. They are interested in the government and will attend the primaries, if they are but given the opportunity to directly nominate their party candidates. The difficulty lies with the caucus system. It is indirect and inefficient.

Now let us see if there are any reasons why better men should be nominated under the direct primary than under the caucus and convention system.

In the first place it must be conceded that the majority of the people are honest and that they want good government and honest officials. Under the direct primary they can make this desire felt more effectively. They can exercise two vetoes upon any attempt to foist bad candidates upon the public, once at the primary, and again at the election. But under the caucus system they have no choice at the caucuses, while upon election it is usually a choice between two evils, between two machine made candidates, and this is one reason why there is such an appallingly large stay at home vote upon election day

In the second place, who is it that so bitterly antagonizes the direct primary? Most assuredly it is not the people! It is the same class of men that twenty years ago fought the introduction of the Australian ballot! The St. Paul Pioneer Press of March 17, 1904, said: "The machine men have never liked the primary. They fought it from the start and they continue to sneer at it." The Arena of August, 1904, also said: "It is needless to say that the grafters and the corruptionists, all indeed who have been engaged in debauching the people's servants, are bitterly hostile to the primary." Why is it that the politicians have suddenly become so solicitous about the welfare of the public, claiming, as they do, that the introduction of the direct primary would be detrimental to the best interests of the people? Why is it that they fight it so strenuously? It is because they realize that they cannot control the 70 or 80 per cent of the voters who turn out to the primaries as they dictate to the 20 per cent who attend the caucuses. They realize that under it their power to dominate the political arena would be gone, that they could not prevent the candidacy of good men. The direct primary introduces "the principle of free, open competition, where before all was secrecy, scheming and log-rolling. It enables any man to become a candidate without currying favor with the boss and the ring by methods which trench upon his self respect." The natural result is that better men come out for the nomination under the direct primary than under the caucus system. Speaking of the last primary held in St. Paul, the Pioneer Press of that city said: "Instead of a horde of office-seekers, bound to this or that faction, and foisted upon the public to feed at the public crib and to play into the hands of a small coterie of repubulicans, the primary law stimulated a search for good candidates all over the city, and the result was a primary ticket composed largely of men whom the office had caught, unpledged and indebted to no one. The result is the strongest ticket that the republican party has had for years, a ticket of strong campaigners, and of men who are entitled to the confidence of the ever did so well have it. No convention ever did so well except when stimulated by popular impatience, and that was once in a decade." Hundreds of other localities, where the direct primary has been tried, could testify to the same effect The mere fact that those cities and states which have adopted this system have never thought of abandoning it, and that its popularity is ever on the increase, is sufficient evidence that it does result in better men being nominated for public office.

The caucus system presents no remedy for the evils of today. No matter how highly legalized, it will still remain complex, indirect and uncertain. In actual practice it represents but a smal portion of the people. It places the power of nomination in the hands of the few, the boss and the ring. It is subversive of the principles of representative government. From all over the country comes the cry of the American people for deliverance. They demand that the control of the government be placed in their hands, and that they be given the power to directly nominate all party candidates. Arrayed against them in this struggle for better government and purity in politics are the corrupting elements of our social and industrial world. What greater tribute can be paid to the efficiency of the direct primary to destroy machine domination and corruption than this bitter antagonism of the boss and the ring?

The direct primary has universally proven satisfactory. Even where tried under the most unfavorable circumstances, placed entirely outside the pale of the law, run by party organizations as it is in many places, introduced into factional, turbulent politics, into machine-ridden Minneapolis, it has proven eminently successful. It has given the people the power to nominate their officials. It has brought out more voters to the primaries. It has made the officials responsible to the people, and has freed them from the dictation of the machine. And finally, as a rule, it has resulted in the nomination of better candidates and in the inauguration of better government.

When these results are compared with those of the caucus system, there is no necessity for explaining further the universal demand for the adoption of the direct primary.