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OBSERVATIONS.

The Declaration of Independence.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all men are created equal: that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness. That, to secure these rights, governments are instituted among them, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

No American can read the words of this preamble without revering the courage and the intellect of the makers and signers of the document which has been the model for the first and second paragraphs of most of the state constitutions adopted since th

ratification of the Declaration of Independence. Yet, I hold it is the right and duty of every American to study his country's history, to revere historical monuments, and at the same time to avoid fetich worship.

Thomas Jefferson, Benjamin Franklin, John Adams, Roger Sherman and Robert R. Livingston were the members of the committee appointed by the Continental Congress on June 10, 1776, to prepare a declaration of independence or separation from England. Thomas Jefferson was unanimously "pressed" by his associates on the committee, to draw up a statement of the rights of the colonists and their grievances against England. After Jefferson had written the Declaration, Franklin and Adams suggested a few verbal changes, and then the committee approved and transmitted it to the Congress on June 28."

Thus the language of the Declaration was Jefferson's, whose admiration of Jean Jacques Rousseau he acknowledged. Now, all through Rousseau's spasmodic life, he was a thorough sentimentalist, "knowing no religion but a transient emotion, and no morality which was not an embroidery on that thin fibre." He had little intellectual power or foresight and his discourses about the origin of the inequality of men, on the social contract, on the principles of politics, on education, are neither scientifically conceived nor elucidated. The reasoning is not close and the words only loosely fit the ideas. His opinions on philosophy are now valueless, though they once hastened a revolution, and though Rousseau holds a high place in literature as a colorist and for his masterly technique.

Rousseau's influence may be traced in Jefferson's speeches and writings on decentralization and state sovereignty. Jefferson gave to this country at its first independence a strong shove in the right direction. He was not a prophet, and his ideas of the limitations of the central government were corrected finally by a civil war. He had a bold imagination when he wrote "We hold these truths to be self-evident." The "we" may mean the members of the committee who drew up the Declaration, or the fifty-five who signed it, or the citizens of the thirteen states who afterwards ratified it. I think as Jefferson wrote it, he was the whole thirteen states himself, recognizing his incarnation and he hesitated about limiting the "we" by adding, the members of the Continental Congress.

"We hold these truths to be self-evident, that all men are created equal." If this statement refers to an original creation of men, men in the savage state that Rousseau believed and taught was one of perfect harmony and happiness, it is idle to discuss it. On the other hand, so long as men are born to inherited wealth, with healthy bodies or with disease, long and deeply sown in the family constitution, it is equally absurd to

pretend any longer that it is a self-evident truth. I hold that an unalienable (inalienable, incapable of being put off, alienated or transferred to another.—Webster) right cannot be alienated by another. The right of self government is inherent, but, as history records numerous instances of the usurpation of power by men who had to alienate it from some one else in order to get it, criticism of this statement is sound.

Considering also that the most complete and perfect democracy in the world is only governed by the consent of one-fifth and that the other four-fifths are taxed and ordered about by policemen, judges, superintendents, governors, mayors, Indian agents and penitentiary wardens, it is not surprising that one of the submerged fifths occasionally questions the inerrancy of the Declaration of Independence, ordered prepared by the Continental Congress, and assigned to Jefferson, who was inspired of Rousseau, a man of words and of unscientific habit.

Rousseau and Nebraska.

It is interesting to note the influence of the language of the Declaration of Independence upon the constitution of the state of Nebraska. Article one of the declaration of rights in the 1875 edition of the laws of Nebraska reads:

"All men are born equally free and independent, and have certain inherent rights; among these are life, liberty and the pursuit of happiness. To secure these rights governments are instituted among men, deriving their just powers from the consent of the governed." This paragraph in the "Compiled Statutes" of 1885 was revised to read: "All persons are by nature free and independent and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed."

From a comparison of the opening words of the laws of Nebraska, referred to as the "Revised Statutes," published in 1866, the "General Statutes," published in 1875, the "Compiled Statutes," published in 1881, and the "Compiled Statutes," 1885, second edition, it appears that "inalienable rights" is a phrase that from the time of Jefferson, both satisfies and appeals to the men who have conscientiously written, revised and compiled the statutes of the state of Nebraska. I doubt not an examination of all the state constitutions, written or revised since the time of Jefferson will demonstrate the pervasive power of a grandiloquent phrase.

The Chicago Tribune says of the deeply imbedded phrase, "free and equal," that "John Lowell of Massachusetts, the grandfather of James

Russell Lowell, is the author. He was a member of the constitutional convention of 1780, and had those words inserted in the bill of rights to abolish slavery in his state. The Massachusetts supreme court subsequently construed those words as he meant they should be construed. A different construction would have been put on them, however, had they been in the organic laws of states where the slave holding interest was more powerful. The courts would have held in such states that 'all men' meant 'all white men.'

"The favorite phrase in the bills of rights of state constitutions has been either 'all men are by nature equally free and independent,' or 'all men are born equally free and independent.' The first of these appears in the Virginia constitution of May 1776, and the second in the Pennsylvania constitution of July, 1776. Neither of these has struck the popular fancy. They are too long. It must be admitted that 'all men are born free and equal' is a more forcible expression. It savors more of blunt Saxon speech. 'Born' is stronger than 'created' and 'free' than 'independent.' So, as the sentence, 'all men are born free and equal,' has a highly respectable parentage, and is now one hundred and twenty years old, there is no reason why orators of high or low degree should not often utter that cheering sentiment. Only they should give the honor to whom honor is due, and credit it to a Massachusetts and not to a Virginia statesman."

Corruption.

In the years that Mr. Bryan has been speaking from the rear platforms of trains, or from shaky, hastily constructed pine platforms to acres of people, his pronunciation has suffered a curious, and, I doubt not, unconscious degeneration.

It is always to the obvious relief of an audience when Mr. Bryan's turn comes. Other speakers saw the air and fight a losing and exhausting fight against the disappearing qualities of English consonants, the affinity of the atmosphere for vowels, and the small boys who have come, not to flatter Caesar, but to drown him out. Other speakers get red and out of breath; they are unequal to the crowd, the commotion, the expectation. Mr. Bryan's voice cuts the air and penetrates to the most distant and preoccupied edges of the crowd. Even the attention of small boys, whose mission, during a certain period, is to prevent every one within their range from hearing what he has come out to hear, are for a moment detached from their play, a play only thoroughly enjoyed when it defeats the designs of a few thousand grown-up people.

It is a triumph which his admirers have forgotten to remind Mr. Bryan of, that for an appreciable moment he can quiet the horse-play and the determined resistance of the small