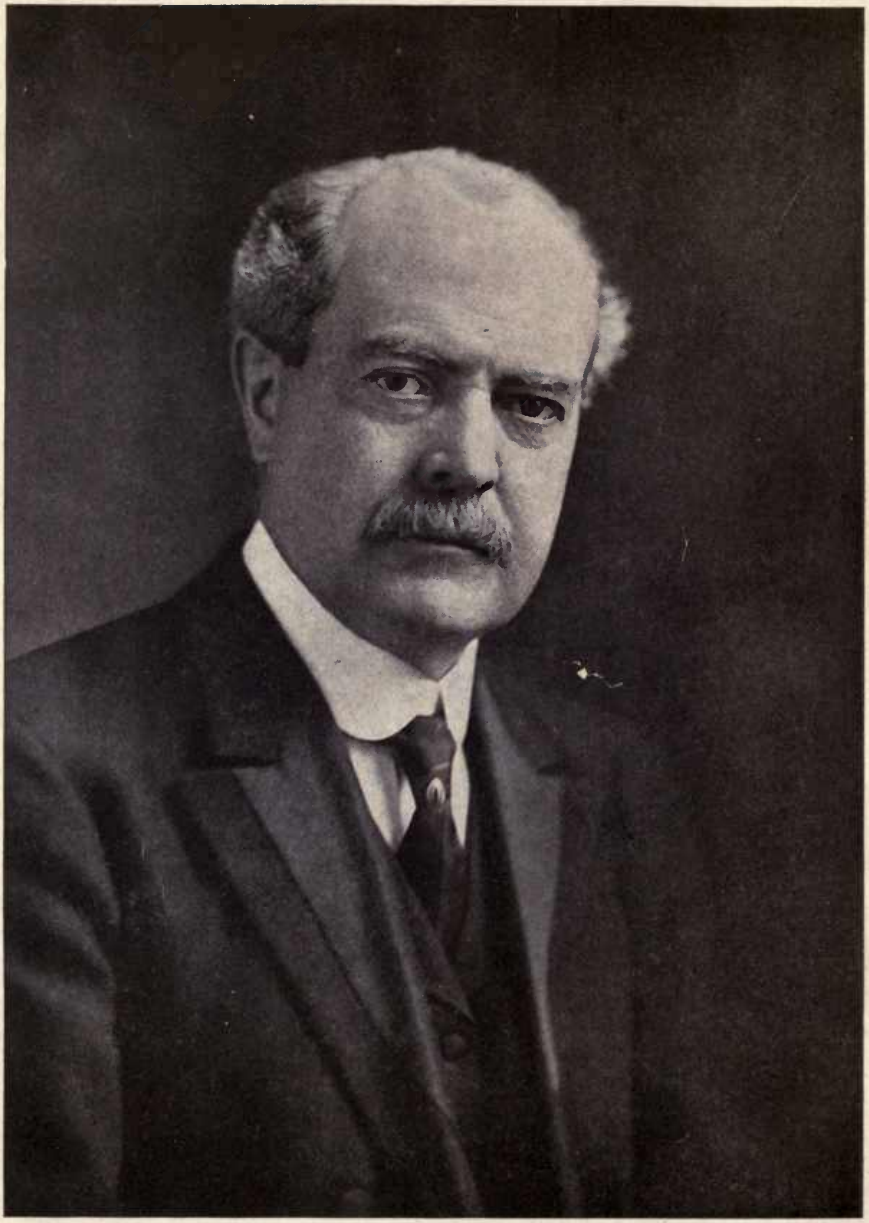

DUNNE

Judge, Mayor, Governor

Compiled and Edited by

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EDWARD F. DUNNE.

Edward F. Dunne was born at Waterville, Connecticut, October 12, 1853.

He was one year old when his parents moved to Peoria, Illinois, where his father attained political and business prominence.

His education was obtained in the public schools of Peoria and at Trinity College, University of Dublin, where he reached the position of honor man in his class, but graduation was denied him by his father's financial reverses which recalled him to Peoria.

There he worked for a year in his father's mill, meanwhile reading law. In 1876 he began a systematic course in law in Chicago and two years later was admitted to the bar.

For fifteen years he devoted himself to an ardent practice of his profession. He was associated during this period with many distinguished men, among them being Judge Scates and Congressman Hynes.

In 1892 he was elected to fill a vacancy on the Circuit bench of Cook County and in 1897 and again in 1903 was elected to full terms.

His marriage took place in 1881, his bride being Miss Elizabeth J. Kelly of Chicago. To this marriage thirteen children were born, nine of whom are living.

From the bench he was elected, in 1905, to be mayor of Chicago by 25,000 plurality.

Among the great issues of his term were the traction franchises, the price of gas, electricity, and telephone service, the equalization of water rates, and tax-dodging by the powerful.

Judge Dunne was nominated for Governor of Illinois by the Democratic party at the Democratic primary election of 1912 and was elected by 125,000 plurality in November of that year.

FOREWORD.

This book deals with live issues, City, State, National, and humanitarian. The speeches which fill its pages were made on the firing line of actual life. It represents the hopes and aspirations of a people who have elevated their champion and their tribune to the bench, the mayor's office, and the Governor's office. It expresses the matured opinions and convictions of an idealist and of a practical statesman, and faithfully depicts the crowd psychology of an epoch.

Governor Edward F. Dunne's career is remarkable for achievements and results, notwithstanding the fact that he has often been compelled to oppose the strongest forces of human selfishness, organized wealth, and partisan unreason.

He has been uniformly progressive. As a judge, though thoroughly safe and sane, he broke through the restraining red tape of ultra conservatism and reaction which so frequently stigmatize the rendering of judicial opinions in the minds of people who live in the vital here and now.

As a mayor of a modern metropolitan city, Chicago, the second on the continent, his name will pass into history side by side with those of Tom Johnson of Cleveland, Hazen Pingree of Detroit, and Golden Rule Jones and Brand Whitlock of Toledo. He has been a people's man and fought the battle for them, without wavering or flinching, against privilege.

Edward F. Dunne was elected Governor of Illinois after the State Government at Springfield had passed through a protracted political debauch.

Again he did not disappoint the people, but holding fast to the fundamental principles of real democracy and working with almost superhuman energy, he realized the highest expectations of his most ardent and devoted friends and followers.

In the meantime his appearance before public audiences to deliver addresses, discussing history in the making and the drama in which he has been the chief actor and the central figure, were quite frequent and covered a vast deal of territory. To have compiled a complete record of these would require many volumes. I have therefore selected from them such as I believed most vitally interesting to the public. These speeches it is intended to preserve

DECISION ON THE FREEDOM OF THE PRESS.

HISTORY OF THE CASE.

The Fortieth General Assembly of Illinois in 1897 passed several objectionable bills, one of which was to legalize the consolidation of all of the gas companies in Chicago except the Ogden Gas Company. Ten companies thus united formed a practical monopoly, which took the name of the Peoples Gas Light & Coke Company, one of the constituent companies. Little criticism, however, was made of this law until the fall of 1900. A mass meeting was held in Central Music Hall in October, 1900. Resolutions were adopted denouncing the act as harmful to public interests. A committee was appointed to request State's Attorney Charles S. Deneen to begin quo warranto proceedings against the Peoples Gas Light & Coke Company. After hearing arguments and considering briefs submitted by counsel for and against the Gas Company, State's Attorney Deneen took the matter under advisement until August 9, 1901. On that day he appeared before Judge Murray F. Tuley in the Circuit Court and obtained leave to file the information in the quo warranto proceedings. Counsel for the gas company went before Judge Elbridge Hanecy of the Circuit Court and moved to have the order entered by Judge Tuley vacated. Arguments on the motion were heard. State's Attorney Deneen was represented by Assistant State's Atorney Albert Barnes. Attorney Adolph Moses appeared to represent the people of the Central Music Hall mass meeting. Clarence S. Darrow of the firm of Altgeld, Darrow & Thompson, also appeared in the case, Attorneys Darrow and Moses appearing at the request of the State's Attorney. The motion was taken under advisement by Judge Hanecy on October 6. The motion was disposed of by Judge Hanecy on October 28 in a written opinion, in which he dismissed the petition and writ which had been filed on the order of Judge Tuley on the ground that the gas act was constitutional and no public rights were jeoparded by the trust formed under its terms. This opinion was read by Judge Hanecy in the forenoon. In the afternoon of that day Hearst's Chicago American printed a report of Judge Hanecy's opinion, in which the action of the court was

criticised as being prejudicial to public welfare. On October 31 Judge Haney cited on the charge of contempt of court because of the published criticism of his opinion, the following persons: William R. Hearst, proprietor of Hearst's Chicago American; S. S. Carvalho, general manager; Andrew M. Lawrence, president and managing editor of Hearst's Chicago American; H. S. Canfield, reporter for Hearst's Chicago American; John C. Hammond, assistant city editor, Hearst's Chicago American; Homer Davenport, rtist, Hearst's Chicago American; Clare A. Briggs, artist, Hearst's Chicago American, and Hearst's Chicago American, a corporation. In the complaint filed by Judge Haney he stated that the criticism was "intended to terrorize and intimidate this court in the performance and discharge of its duties" in connection with the motion in the quo warranto proceedings. Judge Haney held that the case was pending when the criticism was published because, although the opinion had been read disposing of the case, no "entry of any judgment or order disposing of said cause was entered by this court."

On November 1 Messrs. Carvalho, Lawrence, Canfield and Hammond appeared before Judge Haney, the others cited being not in the State. Pending a hearing of the charge, bond was exacted from S. S. Carvalho in the sum of $10,000, from A. M. Lawrence in the sum of $10,000, from H. S. Canfield in the sum of $5,000, and from John C. Hammond in the sum of $1,000. The hearing was set for November 4, on the rule to show cause why they should not be punished for contempt of court. The respondents appeared in court with the following counsel: Former Governor John P. Altgeld, Clarence S. Darrow, William Thompson, Samuel Alschuler, Adolf Kraus and Charles R. Holden. Judge Haney appointed Simeon P. Shope to prosecute the proceedings, giving as a reason therefor that the Attorney General was absent and not within the jurisdiction of the court and that the State's Attorney of Cook County was a party to the cause. In the answer filed by the respondents it was set up that there was no contempt, inasmuch as the case was ended before the criticism was published. Mr. Lawrence assumed all responsibility for the publication. Mr. Canfield admitted having written the article complained of. A motion was made by Mr. Altgeld for a change of venue on the ground that Judge Haney was not qualified to try the case because of his personal interest. This motion was denied. A request for a jury was also denied by Judge Haney. Arguments were heard November 4, and November 5 Judge Haney took the case under advisement and rendered his decision November 13. He ordered that forty days' imprisonment be imposed upon Mr. Lawrence and thirty days' imprisonment be imposed on Mr. Canfield. The charges

against S. S. Carvalho and John C. Hammond were dismissed. No action was taken with regard to the charges against William R. Hearst, Homer Davenport, Clare A. Briggs and Hearst's Chicago American, a corporation.

The respondents were immediately brought before Judge Edward F. Dunne of the Circuit Court on a writ of habeas corpus. They were released on bonds of $3,000 each pending a hearing. The hearing went over until November 15. It was contended by Mr. Shope that the petition for the writ was premature because the order for commitment by Judge Hanecy had not been entered. He averred that the relators had merely been taken into custody by the sheriff on an attachment. An examination of the book of the clerk of Judge Hanecy's court showed that a line had been erased, leaving no order of commitment. Judge Dunne dismissed the writ November 16 on the agreement that the relators return voluntarily to Judge Hanecy's court and answer to what might be ordered in the contempt case. The relators returned to Judge Hanecy's court and the order of commitment was then entered. As soon as the order of Judge Hanecy could be transcribed a petition for a writ of habeas corpus was presented to Judge Dunne, who issued the writ, and Mr. Lawrence and Mr. Canfield were taken before Judge Dunne again. They were released on bonds of $3,000 each and by agreement of counsel the hearing was set for November 25. The case was argued at length by Mr. Darrow and Mr. Alschuler for the relators and by Mr. Shope and Assistant State's Attorney Barnett for the respondent. The arguments closed December 3 with a brilliant speech by Clarence S. Darrow. The subject of constructive contempt was gone into more exhaustively than ever before in the legal history of Cook County. The opinion of Judge Dunne was handed down at 10 o'clock Saturday morning, December 7, 1901, in which he held that no contempt had been committed by the relators, who were thereupon discharged.

COMPLETE TEXT OF JUDGE DUNNE'S DECISION.

State of Illinois, County of Cook, ss.:

In the Criminal Court of Cook County.

The People ex rel. Andrew M. Lawrence and H. S. Canfield vs. E. J. Magerstadt, Sheriff of Cook County, Illinois.

Petition for habeas corpus.

Opinion by Edward F. Dunne, Judge.

The relators have been found guilty of contempt of court by the Hon. Elbridge Hanecy, judge of the Circuit Court of Cook County, Illinois, under the following circumstances as disclosed by the record in this cause:

On October 28, 1901, there was pending before Judge Haney a quo warranto proceeding entitled "The People ex rel. Charles S. Deneen vs. The Peoples Gas Light & Coke Company," and on that day the judge, shortly after the opening of morning session of court, read a written opinion disposing of the legal questions involved. Immediately after reading the opinion the judge, in open court, made use of the following language: "Order of August 9, 1901, is set aside and the petition for leave for filing information, etc., and the information are dismissed." Immediately following this declaration in open court the following colloquy took place between the judge and counsel in that case:

Mr. Moses: If the court please, the people reserve an exception and pray an appeal to the Supreme Court, and also want the court to fix a time to file a bill of exceptions.

The Court: I cannot allow you less than twenty days, can I?

Mr. Moses: Bill of exceptions—yes?

The Court: No. I think the statute provides that it shall not be less than twenty.

Mr. Moses: Only as to the bond.

The Court: I guess it is the same for each. I may have made errors before without your assistance, but I am not disposed to make them now with it. I can not give you less than twenty days.

Mr. Moses: As to the bill of exceptions—

The Court: You may file it in fifteen minutes, if you want to, so that giving you a longer time does not in any way injure you.

Mr. Moses: Then the order is twenty days?

The Court: Twenty days. The order of August 9, 1901, is set aside and the petition for leave to file and the information itself dismissed.

Mr. Meagher: If the court please, I will prepare a formal order and submit it to Brother Barnes.

The Court: You submit it to the other side. I wish you would give me a copy of your brief. I scratched that off hurriedly and I may wish to make some corrections.

On the same day, and after the foregoing proceedings had taken place in court, Hearst's Chicago American, a newspaper of this city, published a certain article which is set out in this record; and on the following day, the 29th inst., published another article and a cartoon upon Judge Haney, the latter of which is probably libelous. Both of the articles, if not libelous, were of such character as to have a clear tendency to intimidate, coerce, frighten and terrorize the judge, and to affect his judg-

ment IF ANY CASE WERE THEN UNDER CONSIDERATION BY HIM.

The relator, Canfield, in his answer filed before Judge Hanecy in the contempt proceedings, has admitted that he wrote the articles in question; and the relator, Lawrence, in his answer, admits that he was responsible for their publication. Both defendants in the proceedings before Judge Hanecy denied that they intended to influence, prejudice or terrorize the Court with reference to his decision in said cause, and aver that the "cause of The People ex rel. Charles S. Deneen, State's Attorney for Cook County, Illinois, vs. The Peoples Gas Light & Coke Company, was decided, adjudicated and determined on the morning of October 28, 1901, before the publication of any of the papers complained of, and that His Honor, Judge Hanecy, then and there, in open court and acting as judge of said court, did so dismiss said proceeding. That these respondents submit that this was a decision of the entire question pending before him, and was a complete determination of said question and ended the matter in controversy, so far as that court was concerned. That they are advised and so state the fact to be, that no motion for further argument, or for further consideration or modification of said decision was made, either by counsel in the case or by anybody else, but that on the contrary counsel for the State accepted said decision as final * * * and then and there prayed an appeal to the Supreme Court of the State."

No evidence was heard before Judge Hanecy, but the decision was based upon the information and answer, amended information and amended answer.

The statement as to what took place before Judge Hanecy in open court on October 28 appears both in the information and answer and is undisputed. It is also undisputed that the articles and cartoon in question were published after these proceedings had taken place in court.

Judge Hanecy, after considering the information and answer, as amended, and after hearing arguments of counsel at great length, found the defendants guilty of contempt of court in publishing said articles and cartoon and sentenced them to imprisonment in the county jail for thirty and forty days, respectively. The defendants were then taken into custody by the sheriff of Cook County, Illinois, under the final order of commitment.

At the time of the issuance of the writ of habeas corpus in this cause they were confined in the county jail in the custody of the sheriff of Cook County, and they now apply to this court to be released from said imprisonment.

It is contended by counsel for the relators that Judge Hanecy had no jurisdiction to enter the final order of commitment, and some sixteen different reasons or grounds are set up in the petition in support of their contention. Many of these grounds were abandoned upon argument, and it it is only necessary for this court to consider two.

First: Did Judge Hanecy acquire jurisdiction by the information filed before him? and,

Second: Had he jurisdiction to enter the final order therein?

Upon the hearing of a petition for habeas corpus, the court has no right to inquire into disputed questions of fact or mere errors of law committed. Only a court of review has this power.

Upon habeas corpus the court can only examine the record and ascertain whether, upon the face of the record, the committing court had jurisdiction to order the relators into imprisonment. If the committing court had not jurisdiction to enter such order, any court having the right to issue writs of habeas corpus will have the right to discharge the relators from such imprisonment, even though such imprisonment be for contempt of another court.

In ex parte George W. Thatcher, 2d Gilman, our own Supreme Court on a writ of habeas corpus, discharged the relator from imprisonment by the the County Commissioners' Court, for contempt of such latter court.

In Miskimins vs. Shaver, Sheriff, decided September 18, 1899, and published in the 58th Pac. Rep., page 411, the Supreme Court of Wyoming discharged a prisoner held for contempt of another court, holding that "where one imprisoned for contempt sues out a writ of habeas corpus, the court before whom such writ is returnable may examine into the acts constituting such contempt." The court held further, that if said acts did not in law constitute contempt, the court committing the prisoner acted without jurisdiction and the prisoner should be discharged.

In re Blush, was a case decided by the Court of Appeals of Kansas, March 17, 1897, published in the 58th Pac. Rep., page 147. The court in that case discharged the relator on an original habeas corpus proceeding, who was imprisoned for contempt of the District Court.

In Wyatt vs. The People, published in 28th Pac. Rep., 961, decided February 1, 1892, the Supreme Court of Colorado released in an original habeas corpus proceeding a relator who was fined for contempt of court alleged to have been committed in the Criminal Court of Arapahoe County.

In re Nichols, published in the 28th Pac. Rep., 1076, the Supreme Court of Kansas, on February 6, 1892, upon an original

writ of habeas corpus, discharged the relator who was imprisoned for an alleged contempt of the District Court of Kansas.

On July 2, 1890, the Supreme Court of Michigan released a relator upon habeas corpus from imprisonment for an alleged contempt of the Circuit Court of Wayne County.

The case is entitled "In re Woods," reported in the 45th Northwestern Reporter, page 1113.

The Supreme Court of Washington, on July 13 of the present year, released a relator in habeas corpus from imprisonment for an alleged contempt of a lower court.

In re Coulter, 56th Pac. Rep., 759.

Church on Habeas Corpus states the law as follows:

"Where acts alleged to be a contempt do not constitute a contempt for which one can be punished by fine or imprisonment, the court is without jurisdiction, and a judgment of conviction is not warranted by law, and the prisoner will be discharged on habeas corpus. Jurisdiction is not obtained by the mere assertion of it."

Church on Habeas Corpus, Sec. 323, Page 454, citing:

In re Dill, 32 Kan. 668;

Ex parte Grace, 12 Iowa, 208;

79 Am. Dec., 529;

Ex parte Summers, 5 Ired., 149;

In re Ayres, Scott and McCabe, 123 U. S., 443;

Cooper vs. The People, 13 Colo., 337;

Ex parte Gordon, 92 Calif., 478; and

Holman vs. Mayer, 34 Tex., 668.

Other authorities which hold that release from imprisonment upon a void process for contempt of court, may be had in habeas corpus, might be cited, but the doctrine is too well established to call for further citations upon this point. The Circuit, Criminal and Superior Courts of the State of Illinois have the same plenary jurisdiction in habeas corpus, as has the Supreme Court of the State.

This court has the undoubted right in habeas corpus proceedings to ascertain whether or not a coordinate court has jurisdiction to enter such a final order of commitment as was entered before Judge Hanecy.

Having disposed of the question of the jurisdiction of this court, let us consider the points raised by the relators:

It is first contended that Judge Hanecy never acquired jurisdiction in the contempt proceeding, because of the fact that the information upon which the same was based was not verified. The information was filed by the Hon. Simeon P. Shope, who was appointed by Judge Hanecy as Special State's Attorney for that

purpose, and the information is signed by him in his alleged official capacity and is unverified.

It is contended by the respondents that, inasmuch as the information is filed by a public official who had taken his oath of office, that the information need not be verified; that it was, in fact, verified by his oath of office.

The relators reply that he was never legally appointed to this position; that the only authority for the appointment of a special State's Attorney by a court is contained in the Revised Statutes of Illinois, section 6, chapter 14, upon Attorney Generals and State's Attorneys, which reads as follows:

"Whenever the Attorney General or State's Attorney is sick or absent, or unable to attend, or is interested in any cause or proceeding, civil or criminal, which it is or may be his duty to prosecute or defend, the court in which SUCH cause or proceeding is pending may appoint some competent attorney to prosecute or defend SUCH cause or proceeding; and the attorney so appointed shall have the same power and authority in relation to SUCH cause or proceeding as the Attorney General or State's Attorney would have had if present and attending to the same."

Section 5 of the same act declares:

"That the duties of each State's Attorney shall be:

"First—To commence and prosecute all actions, suits, indictments and prosecutions, civil and criminal, in any court of record in his county in which the people of the State or county may be concerned."

Relying on these two sections, it is claimed by the relators that it was the State's Attorney's duty to prosecute the contempt proceedings before Judge Hanecy, and that he was the only one who could do so unless the court, for some of the reasons expressed in section 6 of chapter 14, Revised Statutes of Illinois, appointed a special State's Attorney.

The order appointing Judge Shope reads as follows:

"It appearing to the court that the Attorney General of the State of Illinois is absent and not within the jurisdiction of this court, and that the State's Attorney of Cook County is a party to and interested in SAID CAUSE OF THE PEOPLE OF THE STATE OF ILLINOIS EX REL. CHARLES S. DENEEN, STATE'S ATTORNEY, VS. THE PEOPLES GAS LIGHT & COKE COMPANY, this court doth hereby appoint the Honorable Simeon P. Shope, attorney of the bar of this court, to institute and prosecute such petition, information or other proceeding as shall be proper to bring before the court in legal form the said matter of said scandalous publication, in order that the court may legally inquire into the matter of said publication, and as to the persons

who may be guilty thereof, to the end that such person may be dealt with according to law."

It will be noticed that in this order there is no finding that the State's Attorney of Cook County is interested in the contempt proceedings of the People vs. Hearst's Chicago American and others, the proceedings under which the relators were found guilty of contempt of court. The only finding of the court is that he was interested in an altogether different proceeding, to-wit: The People vs. the Peoples Gas Light & Coke Company.

This court is clearly of the opinion that the appointment of Judge Shope was not justified under the statute and was illegal and void.

Counsel for the relators have cited a long list of authorities to this court, some of which hold that even where an information is filed by a State's Attorney that it must be verified to give the court jurisdiction, and many more of which hold that no court can take jurisdiction of a proceeding for contempt alleged to have been committed outside of the presence of the court, unless the facts are brought to the notice of the court by a sworn information or sworn affidavit. Most of these cases declare that the affidavit or verification of the information is necessary to give jurisdiction in such cases and released parties found guilty of contempt because of the absence of this affidavit upon habeas corpus and upon error. Some of these cases were decided in states where the statute requires that such affidavits should be filed. Others of them are decided in states where there was no statute requiring such affidavit, but where the proceedings are had according to the practice of common law.

The following cases hold squarely, in the absence of the statute requiring the filing of an affidavit, that the absence of such affidavit is fatal, because the same is indispensable to give jurisdiction:

Freeman vs. City of Huron, 66 N. W. Rep., 928 (S. D.);

Wilson vs. Territory, 1 Wy., 155;

State vs. Blackwell, 10 S. Car., 155;

Wyatt vs. People, 17 Colo., 232;

State vs. Sweetland, 54 N. W. Rep., 415.

In the latter case there was a provision in the statute requiring the filing of an affidavit, but the decision declares that the statute is declaratory of the common law, and that the decision is based upon the common law as well as the statute.

In addition to the foregoing the following cases hold the affidavit jurisdictional, but they are all in states where the statute itself provides for the filing of the affidavit:

In re Blush, 48 Pac. Rep., 147;

In re Smith, 52 Kans., 13;

In re Wood, 45 N. W. Rep., 1113 (82 Mich.);
Ex parte Rockert, 126 Calif., 244;
In re Nichol, 26 Pac. Rep., 1076 (Kans.);
In re Coulter, 56 Pa. Rep., 759;
Thomas vs. The People, 14 Colo., 254;
Worland vs. State, 82 Ind., 49;
State vs. Kaiser, 203 Pa. Rep., 964 (Ore.);
State vs. Conn., 62 Pac. Rep., 269.

The authorities in the State of Illinois seem to hold to the same position.

In Oster vs. The People, decided October 24, 1901, the Supreme Court declares that "as a general rule attachment for contempt alleged to have been committed out of the presence of the court should be based upon an affidavit stating the facts constituting the alleged contempt." Citing 4th Ency. of Pleadings and Practice, 779.

In Chapin vs. The People, 57 Ill. App., 577, the Appellate Court holds as follows:

"When a contempt is committed out of the presence of the court the court has no power to proceed summarily against the offender without the filing of a written complaint or affidavit to set the machinery of the court in motion."

Moreover, the Constitution of this State declares, section 6 of article 2 of the Bill of Rights, that "no warrant shall issue without probable cause, supported by affidavit particularly describing the place to be searched and the 'persons' or things to be seized."

The authorities, however, are not uniform upon this question.

The Supreme Court of Massachusetts, in Telegram Newspaper Company vs. Commonwealth, held that when it comes in any manner to the knowledge of the court that articles are published in a newspaper circulated in the place where the court is held which are calculated to prevent a fair trial of the cause on trial before the court, the court, on its own motion, can institute proceedings for contempt.

In State vs. Gibson, a West Virginia case, reported in 10th Southeastern Reporter, on page 58, it was held "that neither the statute nor the common law makes it absolutely necessary that an affidavit should be filed on which to base such a rule (referring to a rule to show cause in contempt proceeding). Such a rule is usually properly based on affidavits, but I don't regard it as absolutely necessary in every case."

And so in State vs. Frew, 24 W. Va., it was held that where a contempt is not committed in open court the usual course is to issue a rule to show cause why an attachment should not issue,

though the attachment sometimes issues in the first instance. Such a rule is usually based in case of constructive contempt on affidavit or other sworn statement of the facts constituting the alleged contempt, but this is not always essential. The court may act on its own information or on the unsworn statement of a member of the bar in cases where the facts are clear and unmistakable, such as contemptuous publications in a newspaper.

In ex parte Wall, 107 U. S., 271, the court declares:

"It would, undoubtedly, have been more regular to have required the charge to be made by affidavit, and to have had a copy thereof served (with the rule) upon the petitioner. But the circumstances of the case as shown by the return of the Judge seems to us to have been sufficient to authorize the issuing of the rule without such affidavit."

And in ex parte Henry Petrie, 38 Ill., 498, it was held that "in a proceeding against a party by attachment for an alleged contempt for disobedience to an order of the court, it is not necessary that notice of the proceeding shall be given to the party before the attachment can properly issue."

In the case entitled in re Cheesman, 49 N. J. L., 142, the Supreme Court of that state declared:

"No doubt the ordinary course of practice in such cases in courts of law is that an affidavit of the facts should first be presented; * * * but the practice has not been uniform. Sometimes a rule to show cause has been allowed without an affidavit, on a mere suggestion; sometimes an attachment has been issued without a rule to show cause; sometimes punishment has been inflicted forthwith on the offender's confession when brought in by the writ, without interrogatories; and sometimes * * * the penalty has been imposed on the offender's admissions under the original rule, without either writ or interrogatories. So that these various steps are manifestly not jurisdictional, except to the extent of laying before the court matters which constitute a contempt, and affording to the party accused a fair opportunity of denying or confessing their truth."

The weight of authorities seems to incline to the contention of the relators that an affidavit is jurisdictional. But the law must be very clear and unmistakeable to justify a coordinate court in releasing a relator upon habeas corpus. As there is a conflict in the authorities, this court is not disposed to sustain the contention of the relators' counsel and release the prisoners upon this ground, although in the opinion of the court the authorities strongly preponderate in favor of the relators' contention.

It remains, then, to dispose of the question as to whether or not Judge Haney had jurisdiction to enter the final order of commit-

ment under which the relators in this cause are held by the sheriff of Cook County.

Under the common law it was contempt of court to slander or libel or speak disparagingly or disrespectfully of any judge of a superior court at any time. It was held that such conduct brought the administration of the law into disrepute and contempt. Such was the law in England up to within at least a few years before the American Revolution. Such has never been the law in the State of Illinois, nor in most of the states of the United States.

It is admitted by counsel for the respondents that any man in the State of Illinois may slander or libel or speak in a disparagingly or disrespectful way of a judge upon the bench in relation to the action of such judge in a lawsuit which has been disposed of and adjudicated by him without exposing the author of such slander or libel to proceedings in the nature of a contempt of court. The sole remedy of the judge as against the author of such libel or slander is the remedy which is given to every citizen of the State, to-wit, the right to sue civilly and to indict criminally.

Counsel for the respondents in conceding such to be the law show that they are familiar with all the decisions of our Supreme Court in relation to contempts of court.

In Stuart vs. The People, 3 Scam., 404, the court declared:

"Contempts are either direct, such as are offered to the court while sitting as such and in its presence, or constructive, being offered, not in its presence, but tending by their operation to obstruct and embarrass or prevent the due administration of justice. Into this vortex of constructive contempts have been drawn by the British courts many acts which have no tendency to obstruct the administration of justice, but rather to wound the feelings or offend the personal dignity of the judge, and fines imposed and imprisonment denounced so frequently and with so little question as to have ripened, in the estimation of many, into a common law principle; and it is urged that, inasmuch as the common law principle is in force here by legislative enactment, this principle is also in force. But we have said in several cases that such portions only of the common law as are applicable to our institutions and suited to the genius of our people can be regarded as in force. It has been modified by the prevalence of free principles and the general improvement of society, and whilst we admire it as a system, having no blind devotion for its errors and defects, we cannot but hope that in the progress of time it will receive many more improvements and be relieved from most of its blemishes. CONSTITUTIONAL PROVISIONS ARE MUCH SAFER GUARANTIES FOR CIVIL LIBERTY AND PERSONAL RIGHTS THAN THOSE OF THE COMMON LAW, however much they may be said to protect them.

"If a judge be libeled by the public press he and his assailants should be placed on equal grounds and their common arbiter should be a jury of the country; and if he has received an injury ample remuneration will be made.

"In restricting the power to punish for contempts, to the cases specified, more benefits will result than by enlarging it. It is at best an arbitrary power, and should only be exercised on the preservative and not on the vindicative principle. It is not a jewel of the court, to be admired and prized, but a rod rather, and most potent when rarely used.

"The whole case being presented to this court, in the same form and manner in which it was presented before the Circuit Court, we are satisfied that no contempt was committed of which that court could take jurisdiction and accordingly reverse the judgment."

This was said of a publication in a newspaper, during the trial of a case, which charged the court with directing the officers of the court to close the doors during the trial of Stone, to prevent all ingress and egress; and another publication, in the same paper, which declared that one individual said that "the weakness of His Honor's head would not permit of the noise and confusion of a crowd and a proper attention to the trial of the cause all at the same time."

This was the first case in which the question of the right of a court to punish for constructive contempt arose in this State. The last case is Storey vs. The People, 79 Ill., 45.

In this case the Chicago Times published certain libelous articles concerning the members of a grand jury which had returned three indictments against the editor of that paper, and the court, in commenting upon the question as to whether the editor was liable for contempt of court for making such publication, used the following language:

"The only question, therefore, is, assuming the article to be libelous, whether the publishing of a libel on a grand jury, or on any of the members thereof, because of an act ALREADY DONE, may be summarily punished as a contempt.

"We do not understand the articles as having a tendency directly to impede, embarrass or obstruct the grand jury in the discharge of any of its duties remaining to be discharged after the publications were made. * * * All that it would seem could be claimed is that the publication would cause disrespect to be entertained by the public for the grand jury, and for its action in the particular cases criticised, and thereby tend to that extent to bring odium upon the administration of the law. * * * It is not denied by counsel for the respondents that courts may punish, as for contempt, those who do any act directly tending to impede,

embarrass or obstruct the administration of the law; but they do deny that any publication, however disrespectful, when applied to jurymen in regard to the manner in which they have ALREADY DISCHARGED a duty, does or is calculated to impede, embarrass or obstruct the administration of the law.

"Authority may be found in the textbook and in English and American cases, holding a doctrine at variance with this position. Thus, for instance, Blackstone, says, in showing how contempt of court may be committed, 'it may be by speaking or writing contemptuously of the court or judges, acting in their judicial capacity; by printing false accounts (or even true ones, without proper permission) of causes then depending in judgment; and by anything, in short, that demonstrates a gross want of that regard and respect which, when courts of justice are deprived of their authority is entirely lost among the people.' But the law in relation to contempt has never been held, in any case decided by this court, to be so indefinitely broad as it is thus stated by Blackstone. Our Constitution and statutes certainly affect the question to some extent and it is only in determining precisely how far they do so that we have any difficulty."

The decision then proceeds to discuss the Stuart case, hereinbefore mentioned, and then continues:

"It was said in that case (the Stuart case), in speaking of the power to punish for contempt in case of mere libels upon the court having no direct tendency to interfere with the administration of the law: 'It does not seem necessary for the protection of courts in the exercise of their legitimate powers that this one, so liable to abuse, should also be conceded to them.' "

The court then goes on to discuss the case of The People vs. Wilson, 64 Ill., 195, in which the Supreme Court, by a bare majority of one, held the Chicago Journal liable for contempt of court for publishing a libelous article upon the Supreme Court itself relating to a case then pending and undetermined in that court.

In analyzing that case the Supreme Court, in the Storey case, declared (page 50) that "the decision turned upon the point, as will be seen by reference to the opinion of the Chief Justice, that the cause in reference to which the article was published was THEN PENDING before the court, UNDECIDED and that the article was CALCULATED to and was DESIGNED to influence the members of the court in deciding it."

Continuing, the Court declares:

"Courts, however, possess certain common-law powers, subject to modification that may have been imposed by our constitution and statutes, among which is included that of punishing for contempts.

"Differences of opinion have been entertained by members of this court at different times, in regard to the extent of such modi-

fications: AND WE FEEL CONSTRAINED, in giving expression to our views in the present case, TO DISAGREE TO SOME EXTENT WITH REMARKS MADE BY SOME OF THE MEMBERS COMPOSING THE MAJORITY OF THE COURT IN WILSON'S CASE, SUPRA.

"In our opinion IT IS NOT ADMISSIBLE, UNDER OUR CONSTITUTION, THAT A PUBLICATION, HOWEVER LIBELOUS, NOT DIRECTLY CALCULATED TO HINDER, OBSTRUCT OR DELAY COURTS in the exercise of their proper functions, SHALL BE TREATED AND PUNISHED, SUMMARILY, AS A CONTEMPT OF COURT. * * *

"In this State our Constitution guarantees 'that every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.'

"This language, plain and explicit as it is, cannot be held to have no application to courts, or those by whom they are conducted. The judiciary is elective, and the jurors, although appointed, are in general appointed by a board whose members are elected by popular vote. There is, therefore, the same responsibility, in theory, in the judicial department that exists in the legislative and executive departments to the people, for the diligent and faithful discharge of all duties enjoined on it; and the same necessity exists for public information with regard to the conduct and character of those entrusted to discharge those duties, in order that the elective franchise shall be intelligibly exercised, as obtains in regard to the other departments of the government."

"When it is conceded that the guaranty of this clause of the Constitution extends to words spoken or published in regard to judicial conduct and character, it would seem necessarily to follow that the defendant has the right to make a defense which can only be properly tried by a jury, and which the Judge of a court, especially if he is himself the subject of the publication, is unfitted to try."

"Entertaining these views, the judgment of the court below must be reversed, and the respondents discharged."

The law of the State of Illinois upon constructive contempt, as laid down in this decision, has never been changed, modified or disturbed from the date when the same was rendered down to the present time. It is in full force and effect today, as is conceded by counsel for the respondents. It follows, therefore, that if there was a proceeding PENDING before Judge Haney at the time of the publication of these articles, and the cartoon in question, the decision of which by Judge Haney would have been impeded, embarrassed or obstructed by the publication of the same, that it

was constructively a contempt of court, and that the relator should be remanded. If, on the other hand, there was no proceeding PENDING before Judge Haney, which the publication of these articles might affect, then, under the law as laid down in the Storey case, no contempt of court could have been committed by the publication of these articles, however libelous they may have been.

The question as to whether or not a cause or proceeding was PENDING before Judge Haney is a question of LAW and not of FACT. The facts as set out in the amended information and admitted and restated in the defendants' answers, are identical, verbatim et literatim.

Upon concluding the reading of his opinion, Judge Haney declared in open court "the order of August 9, 1901, is set aside and the petition for leave to file and the information are dismissed"; and again, "the order of August 9, 1901, and the petition for leave to file and the information itself dismissed."

Was this, or was this not a final order?

Counsel for the relators claim that this language was the final judgment of the court.

Counsel for the respondents admit that the language was used, but contend that because the clerk did not enter it of record the case was not finally disposed of.

The relators swear in their answers that they understood it to be the final order of the court, and they attach to their answer excerpts from publications made by the Chicago Daily News, the Chicago Post, the Chicago Journal, the Inter Ocean, the Tribune, the Chicago Herald, and the Chicago Chronicle, all published either on the 28th of October, 1901, or the 29th, which show that the reporters of these papers, as well as the reporters for the American, understood that it was a final disposition of the case.

Reporters of modern newspapers as a rule are a highly educated, intelligent class of men and women, as competent to judge of the meaning of the ordinary English language as the ordinary lawyer, and the nonlegal world—as evidenced by the conduct of the newspapers—certainly understood the language as a final disposition of the case so far as Judge Haney was concerned.

Let us examine the law books and see whether or not the law writers would call the use of such language, in open court, a final judgment.

Black on Judgments, vol 1, section 106, declares:

"The rendition of a judgment is the judicial act of the court in pronouncing the sentence of the law upon the facts in controversy as ascertained by the pleadings and the verdict. The ENTRY of a judgment is a ministerial act, which consists of spreading upon the record a statement of the final conclusion reached by the court in the matter. * * * In the nature of

things, a judgment must be RENDERED before it can be ENTERED. And not only that, but though the judgment be not entered at all, still it is none the less a judgment. The omission to enter it does not destroy it, nor does its vitality remain in abeyance until it is put upon the record. The entry may be supplied, perhaps after the lapse of years, by an order nunc pro tunc. * * * As is said by the Supreme Court of California: 'The enforcement of a judgment does not depend upon its ENTRY or docketing. These are merely ministerial acts, the first of which is required to be done for putting in motion the right of appeal from the judgment itself, or of limiting the time within which the right may be exercised, or in which the judgment may be enforced; and the other, for the purpose of creating a lien by the judgment upon the real property of the debtor. But neither is necessary for the issuance of an execution upon a judgment which has been duly rendered. Without docketing an entry execution may be issued on the judgment and land levied upon and sold, and the deed executed by the sheriff, in fulfillment of the sale, not only approves the sale, but also estops the defendant from controverting the title acquired by it.' ''

Freeman on Judgments, 2d Ed., Sec. 38, declares:

''Expressions occasionally find their way into reports and textbooks, indicating that the entry is essential to the existence and force of the judgment. These expressions have escaped from their authors when writing of matters OF EVIDENCE, and applying the general rule that in each case the best testimony which is capable of being produced must be received, to the exclusion of every means of proof less satisfactory and less authentic. The RENDITION OF a judgment is a judicial act; its ENTRY upon the record is merely ministerial. A judgment is not what is ENTERED, but what is ORDERED and CONSIDERED. The entry may express more or less than was directed by the court, or it may be neglected altogether. Yet in either of these cases is the judgment of the court any less its judgment than though it was accurately entered. In the very nature of things the act must be perfect before its history can be so. And the imperfection or neglect of its history fails to modify or obliterate the act.''

The distinction between the RENDITION of a judgment and its ENTRY is clearly pointed out by our Supreme Court in the case of Blatchford vs. Newberry, 100 Illinois, 484.

In discussing a provision of the statute which authorizes the Supreme Court in vacation to correct a judgment which might have been erroneously ENTERED by the clerk the court uses the following language:

"It will be observed that the power here assumed to be conferred upon the judges is not to grant rehearings, but when a judgment is found to have been erroneously entered up to change the same without ordering a rehearing. The words 'RENDERED' and 'ENTERED' are plainly used antithetically, and each in its distinctive correct legal sense, 'rendered' being used to indicate the giving of the judgment and 'entered' to indicate the act of placing the judgment RENDERED on record. In other words, enrolling or recording it. 'Erroneously ENTERING up a judgment' expresses only an error in the clerical act of placing it upon the record and implies that the judgment enrolled or recorded is not the judgment RENDERED or given" (pp. 489-490).

In Fontaine vs. Hudson, 93 Mo., 62, decided in 1887, and reported in the 5th Southwestern Reporter, 692, the court holds:

"That it is not essential to the validity of records of courts in this State that they should be signed by the judge, and that the party in whose favor any judgment is rendered may have execution in conformity therewith, that the right to the execution follows EO INSTANTE upon the RENDITION of the judgment. The RENDITION of the judgment is the judicial act upon which the execution rests. Its ENTRY upon the record is a mere ministerial act evidencing the judicial act, but not essential to its validity or giving to the judgment any additional force or efficacy. A valid judgment rendered will support and validate an execution issued in conformity therewith, although the formal record evidence of its rendition may not have been in existence at the time the execution issued."

The court in that case confirmed the title of a purchaser upon execution sale, although the judgment was not entered of record when execution issued.

In Los Angeles County Bank vs. Raynor, 61 Calif., 147, which was an action for the possession of land brought upon a sheriff's deed obtained under an execution which had been issued before the judgment was entered of record, the court sustained the title based upon said sheriff's deed. This is the case cited by Black in his work on judgments hereinbefore quoted.

In the case of Sieber et al., vs. Frink et al., 7th Colo., 151, the Supreme Court of that State declares:

"The pronouncing of a judgment is a judicial act; the entry of record is a ministerial duty. The judgment is complete when properly declared, though the mechanical act of recording the same has not been performed."

The Supreme Court of North Carolina, in 91 Am. Dec. 93, in the case of Davis vs. Shaver, declared:

"The entry is a memorial of what the judgment was. If there had been no entry at all, it would have been competent for his honor to have it entered NUNC PRO TUNC, upon his being satisfied that judgment was in fact delivered."

In Baker vs. Baker, reported in 8th N. W. Rep., 291, the court declares:

"The testimony is most clear, positive and conclusive that this order was actually made by the Probate Court, but through inadvertence was not signed. But we apprehend that the failure to sign did not defeat the order; that it took effect as the decision of the court, notwithstanding that omission. The judicial act performed was in deciding upon the application and announcing such decision. True, the County Court is a court of record, having a seal, and each judge of said court is required to keep a true and fair record of each order, sentence and judgment of the court. Properly, the order in question should have been entered of record. But the failure to do this, or to sign the order, did not have the effect to nullify or destroy the decision which was actually made."

In Schuster vs. Rader, 13 Colo. Rep., 334, the Supreme Court of that State declares:

"At common law the giving of judgment was a judicial act, to be performed only by the court sitting at stated time and places. * * * The judgment having been so pronounced in open court, the act of entering the same in the record by the clerk was purely ministerial and was not essential to the existence of the judgment so rendered, though the entry was necessary to preserve it, and as a matter of proof, was the best evidence of its existence. The judgment derived its force and effect from the fact that it had been so considered, adjudged and decreed by the court; and it became effective from the time of such adjudication and promulgation in open court, though the ministerial act of entering the same in the records of the court might be delayed."

In the case of Ward vs. White, 66 Ill., App., 156, the court declared:

"It appears that there was no entry by the clerk of the case in which judgment was rendered, on the docket of the court, or the trial calendar, or the judge's docket, or upon the clerk's docket, and there were no minutes of the judge upon his docket of the entry of the judgment or the finding of the court thereon.

"It is insisted that the Circuit Court obtained no jurisdiction of the case, to enter the judgment, for the reason that there was no 'note, minute or memorandum made by the judge,' or under

his direction, upon the docket of the term or upon the papers, files or some memorial paper found of record in the court."

Notwithstanding the court held that a judgment was actually rendered and that it was a valid judgment and declared:

"The court had power to pass on the case orally and order the clerk orally to enter the judgment and the duty of the clerk was to enter the judgment accordingly. * * * The clerk is a mere ministerial officer and enters only such orders and judgments as he is ordered by the court."

In the case of Metzger vs. Wooldridge, 183 Ill., 178, our Supreme Court uses the following language:

"It is true, as insisted by counsel for appellants, that a judgment is not necessarily what is entered by the clerk, but that which is ordered and considered by the court."

In the Encyclopedia of Pleadings and Practice, Vol. 18, page 429, on Judgments, the following language is used:

"The act, after the trial and final submission of a case, of pronouncing judgment in language which finally determines the rights of the parties to the action and leaves nothing more to be done except the entry of the judgment by the clerk, constitutes the rendition of a judgment. No particular form is required in the proceedings of a court to render them an order of judgment. It is sufficient if they are final. The RENDITION and the ENTRY of a judgment are entirely different things. The first is a purely judicial act of the court alone, and must be first in the order of time, while the entry is merely evidence that a judgment has been rendered, and is purely a ministerial act (pp. 429-430). In none of these citations, however, is the distinction between a judgment and the entry thereof more clearly drawn and distinguished than is done by the statutes of this state. Chapter 25 of the Revised Statutes relates to clerks of courts. Sec. 14 of this chapter reads as follows:

"They (the clerks) shall enter of record all judgments, decrees and orders of their respective courts before the final adjournment of the respective terms thereof, OR AS SOON THEREAFTER AS PRACTICABLE."

The following, Section 16, then provides, "that any clerk who fails to enter of record all * * * judgments and decrees of the court by or before the next succeeding regular term of the court shall be fined not exceeding $100."

It thus appears that by the statutes of this State that after the close of the term and when the court itself has lost all jurisdiction over the judgment rendered at that term that the clerk is permitted to enter up the judgments rendered by the judge at the term.

Could the distinction between the judgment itself and the entry thereof be more clearly pointed out?

As opposed to this mass of authorities as to what constitutes a judgment, counsel for respondents in the case at bar rely upon certain cases which will now be noticed and discussed.

Judson vs. Gage, 98 Fed. Rep., 542. In that case the judge noted upon his minute book as follows:

"Oct. 5 (517) Gage, Secretary of Treasury, vs. Judson. Award of $32,000 in favor of Judson, and United States is satisfied with award and asks report to be accepted, and discontinue as to others. Order discontinuance granted. Balance continued, October 7, and United States (Gage) vs. Judson; award approved and accepted; $32,000."

The judge who made these entries held "that these minutes were not in any sense the entries of a judgment. They are the mere memoranda of the judge as to the proceedings in court and as to the course to be pursued when the judgment file shall be presented."

The Circuit Court of Appeals expressly held in relation to this entry:

"The oral expression of the District Judge in regard to the propriety of the acceptance of the report is not a judgment until it has become a written order of court. Until then it has not taken the form of an authoritative decree, and is not operative. A JUDGMENT IN FORM WAS NOT ASKED FOR. The cause was continued to the next term of the court, when some one, apparently recognizing that the cause was not at an end, prepared a written judgment, which was signed by the judge, and which spoke from that term." In other words, there was no evidence of any sort of a judgment having IN FACT been rendered.

In the case of State vs. Tugwell, 19 Wash., Rep., 242, cited by counsel for respondents, the facts that appear of record were that on the 24th of February, 1898, a certain libelous article was published concerning the Supreme Court. On the 18th of February a majority of the court had rendered an OPINION. On the very date of the publication of the article a dissenting OPINION had been rendered by two of the judges. On February 28, 1898, a petition for the modification of the opinion by the majority of the court was filed, and on March 2, 1898, a majority opinion of the court was filed denying the last petition for modification of the opinion of reversal, and final JUDGMENT was entered on March 9, 1898.

In other words, when the libel was published which it was claimed was contempt of court the cause was still pending and

undetermined and the final order was not entered until thirteen days afterward.

Counsel for respondents also cite "Encyclopedia of Pleading and Practice," Vol. 8, which holds that a court may at any time before closing of term at which judgment is rendered grant a new trial or modify or correct his findings.

No one questions that this is law, but the fact that a court may modify or change or set aside a judgment during a term does not mean that a judgment already rendered is not in full force and effect until modified or set aside.

They also cite "Encyclopedia of Pleadings and Practice," Vol. 11, which declares that the DECISION or FINDING of a court, referee or committee does not constitute a judgment, but merely forms a basis upon which the judgment is subsequently to be rendered.

What relation this can have to the language used by Judge Hanecy this court is unable to discover.

They also cite the case of Fishback vs. The State, 131 Ind., 313, in which the court declares:

"But as to the pendency of the action, it may be said that its pendency does not terminate with the return of the verdict of the jury or the rendition of the judgment, but may be said to be pending while it remains in fieri, for after judgment the parties are still in court for certain purposes. A motion for a new trial may be made and a new trial granted without additional notice."

This may all be true, and is true, of any case until it is finally disposed of, but a final order or judgment rendered during the term remains a final order of judgment until it is set aside or modified.

In the case of Martin vs. Barnhardt, 39 Illinois, 9, it is simply held that an entry made on the clerk's docket, which reads as follows: "Judgment entered upon verdict for $3,000 and costs," is not an entry of a judgment.

The case of Edwards vs. Evans, 61 Ill., 493, is a case in which the court declared:

"From the record in this case there has never been a trial upon the merits, and we are now asked to affirm the judgment on account of the decision between the same parties in Evans vs. Edwards, 26 Ill., 279. * * * The supposed judgment at the June term, 1862, of the court below was no judgment. It was never entered upon the record. There was only a verdict and an order of the judge upon his docket."

In other words, there was no proof on the docket or otherwise that a judgment had in fact been rendered. This case is wholly irrelevant to the issues in the case at bar.

In Hanson vs. Schlesinger, 125 Ill., 230, the Court held, which is undoubtedly the law, that:

"During the term of a court all proceedings rest in the breast of the judge, and he can amend the record according to the facts within his own knowledge."

No one disputes this is the law, but what bearing or application can it have upon the question as to whether or not a judgment once rendered continues to be a judgment until changed or modified?

In the case of Stift vs. Kurtenback, 85 Ill. App., 38, the court holds to the same effect, to-wit: That they (the court) can amend, alter, change or modify its records at any time within the term.

These are the only authorities upon which counsel for respondents seem to rely with reference to the question as to whether or not the language used by Judge Hanecy on the 28th of October, 1901, amounted to a rendition of a judgment.

This language, as we have seen, was understood as a final order by all the representatives of newspapers present. It was also so understood by the attorneys of record in the case, for they at once preserved an exception and prayed an appeal. Does not the language used clearly indicate that the court entered a final order in the case?

The present tense is used. The orders to be set aside are designated and the information itself declared, in the present tense, to be dismissed. The court uses the language twice, on both occasions using the present tense, making complete disposition of the motion and complete disposition of the suit itself.

It is true that one of the counsel declared that he would prepare a formal order. In other words, an order putting in form the judgment rendered. Permission was not given to do even that. The court, in response to the suggestion, stated, "submit IT to the other side." No directions were given to the clerk not to enter on the record the judgment of the court, and it was his, the clerk's ministerial duty, to enter the decision as announced.

As this court understands the language, it was a plain, clear, concise and plenary disposition of the case.

But it is contended by counsel for the respondents, that even if it were a final order of the court, the court had a right to change it at any time during the term, and that it was therefore in fieri and pending.

They seem to rely almost solely upon the authority of Fishback vs. State, 131 Ind., 313, hereinbefore quoted.

The language of that opinion hereinbefore quoted was used in a case in which a newspaper had published a certain article reflecting upon the credit of a grand jury, and tending to bring them into disrepute and to embarrass and interrupt a legitimate investi-

gation by them as to the commission of a crime at any time during their session. As applied to the facts in that case it may have had some relevance, but if it be held that an individual or a newspaper cannot comment upon the decision of a court, at any time while a case is pending in court, even though the final order has been entered, without exposing the person so commenting to prosecution for contempt of court, it will amount to a suppression of free speech and of free press in relation to all judicial proceedings.

The concluding sentences of the Storey opinion, in which a sitting grand jury was libeled, practically abolishes the law of constructive contempt in the State of Illinois.

In speaking of the clause of the Illinois Constitution relating to free speech and a free press, the court declares:

"THIS LANGUAGE, PLAIN AND EXPLICIT AS IT IS, CANNOT BE HELD TO HAVE NO APPLICATION TO THE COURTS. * * *

"WHEN IT IS CONCEDED THAT THE GUARANTY OF THIS CLAUSE OF THE CONSTITUTION EXTENDS TO WORDS SPOKEN OR PUBLISHED IN REGARD TO JUDICIAL CONDUCT OR CHARACTER IT WOULD SEEM NECESSARILY TO FOLLOW THAT THE DEFENDANT (Storey) HAS A RIGHT TO MAKE A DEFENSE WHICH CAN ONLY BE PROPERLY DECIDED BY A JURY, AND WHICH THE JUDGE OF A COURT, ESPECIALLY IF HE IS HIMSELF THE SUBJECT OF THE PUBLICATION, IS UNFITTED TO TRY.

"Entertaining these views, the judgment of the court below must be reversed and the respondent discharged."

But even if any trace of the law of constructive contempt be left in the State of Illinois under the views enunciated by the Supreme Court in the Wilson case, which was decided three years before the Storey case by a bare majority of the court, after the respondent had failed and refused to offer any argument or submit any brief—the law of which has been assailed by Wharton in his great work on criminal law—such trace of the former law of constructive contempt is confined to words spoken or published concerning a judge before whom a case is PENDING.

What is the meaning of the word "pending," as used in the Wilson case and referred to in the Storey case?

Counsel for relators contend that a "pending" case means a case on trial or under consideration by the particular judge whose conduct is the subject of criticism. Counsel for respondents contend that it means a case which is in any way under the control of such judge, even after a final order has been entered by such judge therein. All cases are in that condition during the term.

Under the first construction a person or a newspaper could lawfully criticise a final order rendered by a judge or court immediately after its rendition, without committing contempt of court. Under the latter construction no man or newspaper could criticise a final order entered until the end of the term, which in the courts of Cook County lasts one month. In the case of the Supreme and Appellate Courts the terms last two and six months, respectively.

To give the word "pending" the first construction would be to render the constitutional provision that "Every person may freely speak, write or publish on all subjects, being responsible for the abuse of that liberty," effective and of benefit to the community.

To give the word the latter construction would make this provision of the Constitution a mere jumble of words without force or effect in the community, VERBA PRAETEREA NIL.

To give the word the former interpretation would enable the public to discuss living questions arising in the courts. To give it the latter would confine the public to the consideration of what is flat, stale and unprofitable.

The occupation of a journalist in connection with court proceedings would be gone. His place would be taken by the historian.

This court has no hesitation in giving the word the construction which is natural and not forced; which is reasonable and not unreasonable; which is in consonance with modern progress, and the letter and spirit of the Supreme law of the State and the Bill of Rights.

Giving the word this construction a "PENDING" CASE MEANS SIMPLY A CASE ON TRIAL BEFORE OR UNDER CONSIDERATION BY A CERTAIN JUDGE.

In the case under consideration the quo warranto proceedings before Judge Haney were "pending" while it was on trial before him or under consideration by him. When he rendered his opinion and then uttered the words:

"The order of August 9, 1901, is set aside and the petition for leave for filing information, etc., and the information are dismissed," he entered a final order and the cause was not "pending" before him. This order could have been set aside or modified by Judge Haney during the term, but nevertheless until it was so set aside or modified it was a final order.

NO MORE EFFECTIVE WAY CAN BE CONCEIVED OF SUPPRESSING FREE SPEECH AND FREE PRESS IN RELATION TO PROCEEDINGS IN COURT THAN BY THE COURTS SUSTAINING THIS EXTRAORDINARY CONTENTION ADVANCED BY COUNSEL FOR RESPONDENTS.

In the case under consideration three weeks elapsed between October 28, 1901, when Judge Haney's decision was rendered, and the end of the October term.

Under the contention of counsel for the respondents no adverse comment upon that case could have been made until three weeks after its rendition. This court cannot accept or put in force by legal construction such an extraordinary contention.

PUBLIC OFFICIALS, EXECUTIVE, LEGISLATIVE AND JUDICIAL, HAVE ALWAYS BEEN AND ALWAYS WILL BE SUBJECT TO CRITICISM BECAUSE OF THEIR OFFICIAL ACTS. IT IS ONE OF THE INCIDENTS AND BURDENS OF A PUBLIC LIFE.

If the criticism be just it will commend itself to the public and be effective for good. If it be unjust and unfair it will fail to injure the man assailed.

THERE IS NO GOOD REASON WHY A JUDGE SHOULD HAVE A DIFFERENT LAW APPLIED TO HIM THAN IS APPLIED TO A PRESIDENT, A GOVERNOR OR A MEMBER OF THE LEGISLATURE.

Editorial lawyers who gather their law from the circulation department or the counting room, have differed and will continue to differ with judges who obtain their law and inspiration from law books and legal precedents. But there is no good reason why, after the judge has given his exposition of the law and disposed of the case before him, SUCH AN EDITORIAL LAWYER may not decide the same case to suit himself. It is only when he forestalls the judge with his opinion, and endeavors in his paper to coerce, intimidate, terrorize, wheedle or cajole the judge into agreeing with his newspaper law, that his conduct by any possible construction of the Illinois decisions can become contempt of court.

It is not without some reluctance that I feel constrained to differ so radically with the able and honorable jurist whose order has committed the relators to jail, because of the undeserved assault upon him, and because of my respect and friendship for him. But such considerations must give way before the vital principle involved in the protection of free speech and a free press, a principle so important that it has been carefully and zealously guarded by the Constitution of our State and the Constitution of the United States and the well considered decisions of our own Supreme Court.

I am clearly of the opinion that the language used in open court by Judge Haney on October 28, 1901, amounted to a final order disposing of the case under consideration, and that being a final order, under the doctrine of "Contempts," as laid down

in this State by our Supreme Court in Storey vs. The People, that the relators had a right to comment and criticise that decision, even to the extent of libelling the honored and respected judge who rendered the opinion, without exposing themselves to prosecution for contempt of court.

Such being the views of the court, and the court being of the opinion that upon the undisputed facts in the case, the relators, under the authority of Storey vs. The People and the other authorities cited, did not commit a contempt of court, the relators must be discharged, and it is so ordered.

DECISIONS IN IMPORTANT JUDICIAL CASES.

[During his term of service as Judge of the Circuit and Criminal Courts of Cook County, Judge Dunne was called upon to try and decide many important cases, involving often the public interest and grave questions of public policy.

A number of such decisions have been condensed for publication in this volume and will be found on the following pages.]

RESTRICTIONS BY THE STATE UPON INTERSTATE COMMERCE.

Act making it the duty of railroad corporations to weigh grain shipped into counties of the third class (Cook County) or into cities of 50,000 or more inhabitants held to violate Clause 3, Section 8, Article I of the Constitution of the United States regarding interstate commerce when foreign shipments are involved.

An action of debt to recover penalties for the violation of sections 192 and 193 of the Railroad and Warehouse Act was brought by the people against the Lake Shore and Michigan Southern Railway Company, in which Francis A. Riddle represented the people and Gardner and MacFadon represented the defendants. The matter came on for decision in January, 1893, before Edward F. Dunne, as circuit judge.

STATEMENT OF THE CASE.

Section 192 of the Railroad and Warehouse Act provided that in all counties of the third class and in all cities having not less than 50,000 inhabitants where bulk grain, mill stuffs, or seeds are delivered by any railroad transporting the same from initial points to another road for transportation to other points, such road or roads receiving the same shall provide suitable appliances for unloading, weighing, and transferring such property from one car to another without mixing or in any way changing the identity of the property so transferred and such property shall be accurately weighed in suitably covered hopper scales which will determine actual net weight * * * which weights shall always be given in the receipts or bills of lading and used as the basis of

any freight contracts affecting such shipments * * *". Section 193 of the same act provided * * * "2. The practice of loading grain, mill stuffs, or seeds into foreign or connecting line cars at the initial point for which the grain, mill stuffs, or seeds are originally shipped or the running of the original car through without transfer shall not relieve the railroad * * * from weighing and transporting such property in the manner aforesaid * * *".

By section 195 a penalty for failure to comply with the provisions of the law of not less than one hundred nor more than five hundred dollars was provided "to be recovered in an action of assumpsit in the name of the People of the State of Illinois for the use of the county in which such act or acts of neglect or refusal shall occur."

A carload of rye was delivered to the Chicago, Rock Island & Pacific Railway Company at Iowa City, Iowa, consigned to William H. Beebe & Company, at Keermoor, Clearfield County, in the state of Pennsylvania. The rye passed through Chicago and Beebe & Company demanded a certificate of the railway company, under sections 192 and 193 above referred to, showing the correct weight as disclosed by weighing the same in Chicago, according to the statute. The railroad company refused the certificate and the suit was brought to recover the penalty provided for in section 195.

SUBSTANCE OF THE OPINION BY JUDGE DUNNE.

SUIT NOT BROUGHT IN COMPLIANCE WITH STATUTE.

As a matter of form the action is faulty, first because not brought for the use of the county where the original default and refusal to comply with the statute took place as required by the statute; second, it is not shown that the defendant company failed to provide suitable appliances for unloading, weighing, and transferring the rye in question, as provided by the statute. Section 194 provides that there must be a failure to comply with all of the requirements of sections 192 and 193.

ACT CONTRAVENES INTERSTATE COMMERCE CLAUSE OF THE CONSTITUTION OF THE UNITED STATES.

Clause 3, section 8, of article I of the Constitution of the United States declares that the Congress of the United States shall have power "to regulate commerce with foreign nations and among the several states and with the Indian tribes."

I am of the opinion that the act in question is in contravention of that clause of the Constitution and also of the interstate

commerce act passed by Congress so far as it applies to or affects goods and merchandise being shipped from other states through the State of Illinois to other states of the United States.

Section 7 of the interstate commerce act which went into effect in 1887, a few months before the act of the Illinois Legislature in question, provides "that it shall be unlawful for any common carrier subject to the provisions of this act to enter into any combination, contract, or agreement, express or implied, to prevent by carriage in different cars or by other means or devices the carriage of freight from being continuous from place of shipment to the place of destination."

This provision of the interstate commerce act plainly indicates that it is the policy of the Federal Government to further and protect in every possible way the continuous shipment of merchandise without check or hindrance.

Even before the passage of the interstate commerce act the Supreme Court of the United States, in the case of Wabash, etc., v. Illinois, 118 U. S., 557, 572, declared that the right of continuous transportation from one end of the country to the other is essential, in the following language: "It can not be too strongly insisted upon that the right of continuous transportation from one end of the country to the other is essential in modern times to that freedom of commerce from the restraints which the State might choose to impose upon it that the commerce clause was intended to secure. This clause, giving to Congress the power to regulate commerce among the states and with foreign nations, as this court has said before, was among the most important of the subjects which prompted the formation of the Constitution. Cook v. Pa., 97 U. S., 566, 574; Brown v. Md., 12 Wheaton, 419, 446.

It thus appears not only from the language of the interstate commerce act, but from the construction placed by State and Federal Courts upon the intent and aim of the provision of the Federal Constitution, that the policy of the Federal Government has always been in favor of continuous and unobstructive transmission of property and passengers between the states. Such being the plain provision of the Federal Constitution and Federal enactments, how can it be claimed that any state legislation which compels the unloading, separate weighing, and reloading of grain can be held to be constitutional?

Celerity in the transportation of passengers and freight is now imperatively demanded by the business of the country. Every impediment thereto is a burden upon commerce. State statutes producing such results are, under the authorities cited, clearly in conflict with the Constitution of the United States. Subjects of legislation of this character which are in their nature national

affect the whole country and confined by the Constitution to the general Government, are exclusively within the legislative control of Congress." Council Bluffs v. K. C. St. J. and C. B. R. R. Co., 45 Iowa, 349.

The position I have taken in this matter is, I believe, abundantly sustained by the following among authorities: County of Mobile v. Kimball, 102 U. S., 691-702; Wilton v. Mo., 91 U. S., 275, 280; Original Package Case, 135 U. S., 108; Wabash, etc., Railway Co. v. Illinois, 118 U. S., 577.

In the case of Stanley v. Wabash, St. L. and P. R. R. Co., 42 American and England Railroad cases, 328, the Supreme Court of Missouri held that "a statute requiring a railroad company to furnish double-deck cars for transporting sheep was unconstitutional as to an interstate shipment."

In H. and St. J. R. R. Co. v. Huston, 95 U. S., 473, a statute of Missouri prohibiting the entry of Texas cattle at certain times of the year was held bad as being in violation of the commerce provision of the Constitution.

In Norfolk and W. R. Co. v. Commonwealth (Va.), 13 Southeastern, 345, the court held that a statute of the state of Virginia prohibiting the running of freight trains within certain hours on Sunday was bad, as being in conflict with the commerce provision of the Constitution of the United States.

SUNDAY CLOSING OF THE WORLD'S FAIR.

World's Columbian Exposition. Statute authorizing Park Board to grant use of Jackson Park to World's Columbian Exposition Company for the Exposition held valid and a regulation closing the fair grounds established upon said park on Sunday held within the power of the company.

A suit was brought in 1893 by one Clingman against the World's Columbian Exposition and others to enjoin the closing of the fair on Sunday and, upon presentation of the matter, a temporary injunction was granted.

The hearing of the motion was assigned to Judge Goggin for disposal, who insisted upon the calling in of two other judges to sit *en banc* with him on a hearing. The judges so selected were Edward F. Dunne and Theodore E. Brentano.

The hearing before the three judges was upon a motion to dissolve the injunction and resulted in one of the most extraordinary scenes ever witnessed in an American court.

Tremendous public interest developed in the case, some of the citizens of Chicago contending that the exposition should be compelled to remain open on Sunday and others contending that it should be closed. Chiefly because of financial reasons the directors of the exposition, thinking it would prove unremunerative

to keep open, decided to close the fair on Sunday. Other reasons may have contributed to the same results.

Shortly after hearing the arguments, Judge Dunne prepared a written opinion based upon authorities cited by him, which he submitted to his brother judges. Judge Goggin disagreed absolutely. Judge Brentano had first disagreed with Judge Dunne's opinion but afterwards, upon reflection and careful consideration, announced his intention to concur in Judge Dunne's opinion. Judge Dunne and Judge Brentano thereupon urged Judge Goggin to prepare his dissenting opinion and after much delay Judge Goggin announced that he would have a dissenting opinion ready for the hearing on August 31, 1893.

On that date, after notice to all counsel in the case, the three judges appeared upon the bench. To the amazement of his brother judges, Judge Goggin failed to read a dissenting opinion but announced from the bench that he would enter a motion to continue the case.

Judge Dunne read the opinion of the majority of the court but Judge Goggin refused to abide by the opinion of his associates upon the bench.

Upon request of the associate judges a conference in chambers was held, after which all three judges resumed their seats upon the bench and Judges Dunne and Brentano announced that upon a conference with their associate, Judge Goggin, he had refused to enter an order in conformity with the majority opinion.

Upon the retirement from the court of Judges Dunne and Brentano, Judge Goggin entered an order continuing the case, thus preventing the disposal of a motion to dissolve the injunction.

STATEMENT OF THE CASE.

The Legislature of the State of Illinois in 1890 enacted a law authorizing the South Park Commissioners to allow the use of Jackson Park or any part thereof for the purposes of a World's Columbian Exposition. Pursuant to this authority the Commissioners of the South Parks passed an ordinance authorizing the exposition officials to take possession of a portion of Jackson Park for the purpose of holding the World's Fair.

The Exposition Company, after erecting the buildings in the park, enclosed a portion of said park, erected admission gates and began charging the public an admission, pursuant to the authority given by the act of the Legislature and an ordinance passed by the city council.

The directors of the Exposition concluded to close the Exposition on Sundays, whereupon Clingman, the complainant, filed a

bill to enjoin them from so doing. A temporary injunction was granted and a motion made to dissolve the same, which came on for hearing on August 31, 1893, before Judges Goggin, Dunne and Brentano.

SUBSTANCE OF JUDGE DUNNE'S OPINION.

An Individual May Maintain a Suit in His Own Name to Prevent the Diversion of Public Property.

It is contended on the part of defendants that an individual or a mere member of the general public can not come into a court of equity and claim to represent the general public, but that suit must be brought by the attorney general of the State representing the public at large.

This is, undoubtedly, the law in cases where it is sought to enjoin public or municipal authorities. In this case, however, the writ is not invoked against any public authority having charge or control of public property but is prayed for as against a private corporation to whom was surrendered and given over a public park.

The case of Davidson v. Reed, 111 Ill., 167, seems directly in point. That was a bill in equity filed by a private individual to restrain another individual from meddling or interfering with certain graves in land which had been dedicated to the public to be used as a place of burial of the dead. It was held that the complainant as a private individual could maintain the bill in his own name for the benefit of all. To the same effect is Maywood v. Maywood, 118 Ill., 61.

The State May Alter the Use of Property acquired, by it, Donated or Dedicated.

It is contended that the public has a usufruct in these lands for their rest and recreation, which is absolutely inalienable under any law or ordinance, and that any citizen, at the present time or among the generations yet to come may, by an appeal to a court of chancery, enjoin the diversion of these lands to use other than the "recreation, health, and benefit of the public," without money and without price.

Many cases are cited by learned counsel in support of this contention, but in every case where a court of chancery has interfered to prevent the diversion of lands used by the public for streets, parks, or other purposes, it will be found that the fee of the land so used by the public rested in some private person or corporation who had dedicated it to public use by platting the same or by conveying the same to the public upon a certain trust

or condition. Such were the facts in the following cases: Maywood Co. v. The Village of Maywood, 118 Ill., 61; Davidson v. Reed, et al, 111 Ill., 167; the City of Jacksonville v. the Jacksonville Railway Co., 67 Ill., 540; Grogan v. the Town of Hayward, 6 Sawyer, 498, 4 Federal, 161; Carter v. Chicago, 51 Ill., 283; Price v. Thompson, 48 Mo., 361; and Sheehn v. Stothart, 29 La. Ann., 630.

The plain distinction between this class of cases and the case at bar rests, in the opinion of this court, in the fact that in the case under consideration the land acquired by the South Park Commissioners (Jackson Park) was not donated to public use by private owners, clothing it with a special use for the benefit of the public and retaining the ownership of the fee in the donator or dedicator, but was acquired by purchase or condemnation and paid for by public taxation.

The corporation, designated by the Legislature, holds the lands for the people's use, it is true, and the Legislature has declared, when creating this corporation, for what purpose the land is to be used; but it does not follow as a matter of law that because the Legislature had declared at one time a special purpose for which the land was to be used, the same Legislature or any sub sequent Legislature, acting for and on behalf of the people, can not by law change the use to which the land may be put.

However desirable it might be that public lands, devoted to park purposes for the rest and recreation of the people in a great city like Chicago should be forever sacredly devoted to that purpose, the present law and Constitution are not effective to that end. This desirable consummation can only be attained, in our opinion, by an amendment to the Constitution.

The doctrine here alluded to is thus stated in Vol. VII, American and English Encyclopedia of Law, at p. 417, "when lands held by a municipality for public use are not subject to any special trust, the Legislature may authorize a municipal corporation to sell and dispose of the same or apply them to uses different from those to which they are devoted, but, in the absence of such authority (from a Legislature) the municipality has no implied power to do so. If the title to the lands has been acquired by condemnation proceedings, the Legislature may authorize a sale thereof, if the fee is vested in the city, although the title of the city may be deemed to have been impressed with a trust to hold the lands for the uses for which they were demurred. If, however, the lands have been dedicated by private individuals for a public park or square, the Legislature has no authority to authorize any diversion from the use to which they were originally dedicated.

The rule is recognized in Brooklyn Park Commissioners v. Armstrong, 45 N. Y., 234; Clark v. City of Providence, 16 R. I., 337, 15 Atl., 763; Mowery v. City of Providence, 16 R. I., 422, 16 Atl., 511; Chicago, Rock Island and Pacific R. R. Co. v. The City of Joliet, 79 Ill., 25.

Dillon, in his admirable work on Municipal Corporations, 4th Ed., Sec. 651, lays down the law upon this subject in the following terms: "As between the municipality and general public, the legislative power is, in the absence of special constitutional restriction, supreme—and so it is in all cases where there are no private rights involved. If the municipal corporation holds the full title to the ground for public uses without restriction, the Legislature may, doubtless, direct and regulate the purposes for which the public may use it, but if a grant be made by a proprietor of a town in laying it out for a specific and limited purpose, as, for example, a public square, the municipality or public acquiring it upon a trust for the uses and purposes set forth on the plat or in the conveyance, it has been decided by the Supreme Court of Iowa that the grantor in such case retains an interest therein of such a nature that it is not as against him within the power of the Legislature to authorize its sale by the municipality * * * ".

Our own Supreme Court, in the case of People v. Walsh, 96 Ill., 262, has recognized the right of the Legislature to control and change the uses of property, the fee of which is held by or for the public. In that case, the right of the South Park Commissioners to change the use of one of the streets of the city of Chicago to a boulevard was called into question by quo warranto and in passing upon the question the court said (p. 248): "The fee of the streets is here, on both sides, stated to be in the city; that is to say, the city as the agent or representative of the public holds the fee for the use of the public, not the citizens of the city alone but the entire public of which the Legislature is the representative. Citing Chicago v. Rumsey, 87 Ill., 355, and on page 250 the court, continuing, says that: "The Legislature represents the public. So far as concerns the public, it may authorize one use today and another and different use tomorrow. If the new use affects private rights, proceedings for condemnation may have to be invoked, but so far as it affects the public alone, its representative, in the absence of constitutional restraint, may do as it pleases."

The conclusion, therefore, seems irresistible that the Legislature of the State of Illinois in the absence of constitutional restraint (and none appears) has plenary power to declare by legislative enactment to what use the lands in question should be put.

By virtue of the Enabling Act, the court is of opinion that the World's Columbian Exposition is in lawful possession of the property and had, under the ordinance referred to, the right to enclose the property, to charge an admission fee on days on which it may be opened and has, also, the right to close the fair grounds upon the first, the last, or any other day of the week during the fair; that there is no religious question involved in the case, that had the directory decided to keep the gates open every day of the week, they would have full authority to do so.

STATEMENT BY JUDGE DUNNE TO THE PRESS.

After Judge Goggin had entered the order of continuance, Judge Dunne was interviewed as follows:

"I was invited into a case by a brother judge and was invited out again. Both invitations I accepted."

Such was Judge Dunne's comment on the Clingman proceedings.

"At the request of Judge Goggin I consented to hear arguments on the Clingman injunction. Before a final decision was rendered Judge Brentano and myself retired."

"How does that affect the injunction?" was asked.

"It is still in effect. I left before Judge Goggin entered the final order, but am informed that it amounted to a continuance."

"Will you enter an order on the majority decision?"

"No, I am out of the case."

"And Judge Brentano?"

"He takes the same position."

"Is not the decision joined in by you and Judge Brentano binding on Judge Goggin?"

"Judge Goggin is the presiding judge and we are out of the case. His orders will stand. I consented to hear the case only after urgent request. A motion to dissolve the injunction had been made and it was desired to have two other judges in the case. A third judge of the Superior Court could not be reached and I was called on. At that time I had my satchel packed for a short vacation, but on the representation of counsel that vast public interests were involved I consented to accept the invitation. We heard the arguments and my decision has been prepared some days. Judge Brentano concurred with me and Judge Goggin dissented."

"Would not that joint decision be foundation for a final order?"

"The uninterrupted course of history and precedent is that, when judges are invited to participate in a case, the decision of the majority is accepted as conclusive. Acting on this belief I

rendered my decision and was interrupted by Judge Goggin, who attempted to enter an order. We retired for a conference and Judge Brentano and I tried to prevail on Judge Goggin to alter his course. He refused and announced that he desired no further conference with us. We had been invited to leave and did so without entering any order. We returned to the bench and announced our retirement from the case. We have nothing further to do with the matter."

THE CONTROL OF CORPORATIONS BY THE STATE.

Anti-Trust Laws. Held that enough of the anti-trust law of 1891 is legal to require a corporation to report to the Secretary of State annually.

In the case of The People v. Richards & Kelley Manufacturing Co., and fifty-six other similar cases, an action of debt was filed in the Circuit Court, numbered 200,636, and following numbers, to recover penalties for failure of the corporation defendants to report to the Secretary of State.

By the pleadings, the defendants admitted failure to report and relied upon a claim of unconstitutionality of the act requiring the reports.

The case being considered of extraordinary importance, it was requested that three judges sit for the determination thereof, and Judges Arba N. Waterman, Murray F. Tuley and Edward F. Dunne heard the case on demurrer and rendered an opinion. Charles S. Deneen as State's Attorney, represented the people and Levy Mayer represented the defendants.

STATEMENT OF THE CASE.

Section 1 of the act in question forbade combinations of corporations or individuals to regulate or fix the price of any article of merchandise or to limit the quantity of commodities and merchandise to be manufactured, mined, produced, or sold, and provided that any person, partnership, or corporation violating the law would be deemed guilty of a conspiracy to defraud and subject to indictment and punishment, as provided by the act.

The act of 1891 was amended in 1893 by adding two new sections, known as section 7a and 7b. Section 7a provided that it shall be the duty of the Secretary of State, on or before the first day of September of each year, to address to the President, Secretary, or Treasurer of each incorporated company doing business in this State * * * a letter of inquiry as to whether the said corporation has all or any part of its business or interest in or with any trust, combination or association of persons or stockholders, as named in the preceding provisions of this act,

and to require an answer under oath, of the President, Secretary, or Treasurer, or any director of said company * * * and upon refusal or failure to make oath to said inquiry within thirty days, it shall be the duty of the Secretary of State to certify the fact to the Attorney General, whose duty it shall be to direct the State's Attorney of the county wherein such corporation is located, in the name of the people, to proceed against such corporation for the recovery of a penalty of $50.00 for each day after such refusal to make oath, within thirty days from the mailing of such notice.

Or, that the Attorney General may by any proper proceedings in a court of law or chancery proceed upon such failure or refusal to forfeit such charter of such incorporated company * * * and to revoke the rights of any foreign corporation located herein to do business in this State.

Section 7b in substance provided that the Secretary of State, at any time, if satisfactory evidence came to him, that any company or association of persons has entered into any trust, combination, or association in violation of the preceding section, to demand that it shall make an affidavit, as above set forth.

Section 7a contained a saving clause, as follows: "Provided, that no corporation, firm, association, or individual shall be subject in any criminal prosecution by reason of anything truthfully disclosed by the affidavit required by this act, or truthfully disclosed in any testimony elicited in the execution thereof, and provided, further, that corporations organized under the Building, Loan and Homestead Association laws of this State, are excused from the provisions of this act."

In 1897 the act of 1891 was again amended by adding to section 1 the following proviso: "Provided, however, that in the mining, manufacturing, or production of articles of merchandise, the cost of which is mainly made up of wages, it shall not be unlawful for persons, firms, or corporations doing business in this State to enter into a joint arrangement of any sort, the principal object or effect of which is to maintain or increase wages."

The Legislature at its session in 1893 passed an act entitled: "An act to define trusts and conspiracies against trade," which declared contracts in violation of the provisions thereof void, making certain violations misdemeanors and describing the punishment therefor.

SUBSTANCE OF THE OPINION BY THE COURT.

The demurrer to the declaration in this case raises the question of the constitutionality of the Trust Act of 1891, as amended

by the acts of 1893 and of 1897, respectively, and as to whether the Trust Act of 1893 does not repeal act of 1891.

NO REPEAL EFFECTED.

That the Legislature did not intend to repeal the act of 1891 by the enactment of the law of 1893 defining "trusts and conspiracies against trade" is made manifest by the fact that at the same session, on the same day, the act of 1891 was amended by adding Sections 7a and 7b, and by the further fact that the Legislature of 1897 again amended the act of 1891, at both times, treating the act of 1891 as being in full force and effect.

We see no difficulty in construing the act of 1891, as amended, and the act of 1893, defining trusts and conspiracies, so that they can both stand, and are of opinion that there is no fatal repugnance between the two.

INVALID PORTION OF THE ACT.

Section 1 of the act of 1891, as amended in 1897, is unconstitutional and void; first, because in its legal effect it is an amendment of the general incorporation law and operates as an amendment to the charters of some but not all of the corporations incorporated under said general law. It is, therefore, a special law prohibited by section 2, article 2, of the Constitution, which prohibits the creation, change, or amendment, by special law, of the charter of any corporation excepting those for charitable, educational, penal, or reformatory purposes. The Supreme Court has held that the power to prescribe regulations and provisions which shall be binding upon any and all corporations formed under the general law must be exercised by general law and cannot be exercised by special law.

Braceville Coal Co. vs. People, 147 Ill., 66.

The Legislature has power to classify corporations and to determine what is a proper classification for such purposes, but its determination is subject to review by the courts.

Frorer vs. People, 141 Ill., 171.

And is subject to the limitation that such classification must not arbitrarily discriminate between corporations in substantially the same situation and must rest upon reasonable grounds. Arbitrary selection cannot be justified by calling it classification.

Gulf C. & S. F. R. R. vs. Ennis, 165 U. S., 150.

Section 1, by attempting to separate certain mining and manufacturing corporations from others and to withdraw them from the operation of the act, clearly discriminates arbitrarily. Legislation of this character making arbitrary classifications and dis-

criminations between persons or classes, has been repeatedly held to be in violation of section 2, article 1 of the State Constitution, which provides that "no person shall be deprived of life, liberty, or property without due process of law." The words "due process of law" in this connection are held to be synonymous with the law of the land and means the general public law, binding upon all the members of the community, under all circumstances, and not partial or private laws affecting the rights of private individuals or classes of individuals.

Millet vs. The People, 117 Ill., 294.
Frorer vs. People, 41 Ill., 171.

In the case of Frorer vs. People, supra, the Supreme Court said of the law and the construction in that case: "The same act in substance and in principle, if done by one is lawful, but if done by the other is not only unlawful but is a misdemeanor, punishable by fine," and for that reason the court held the law unconstitutional. In the same case the court held that "under the guise of the police power, a person cannot be deprived of a constitutional right," and that "it is impossible that under that power what is lawful if done by A, if done by B, can be a misdemeanor, the circumstances and conditions being the same." Other decisions to the same effect are:

Braceville Coal Co. vs. People, 147 Ill., 66.
Ritchie vs. People, 155 Ill., 98.
Eden vs. People, 161 Ill., 296.

Such a law violates the fourteenth amendment to the Federal Constitution, which prohibits a state from denying "to any person equal protection of the laws."

Gulf C. & S. F. R. R. vs. Ennis, 165 U. S., 150.
In re Converse, 137 U. S., 634.
Low vs. Rees Printing Co, 41 Neb., 127, 59 N. W., 362.
Luman vs. Hitchens, 90 Md., 14, 44 Atl., 1051.

Two of the judges are of the opinion that section 1 must be held to have been amended by the act of 1897, and that as amended, it must be held unconstitutional and void, for the reasons above stated. The other of the three judges held that the question as to whether section 1 of the act of 1891 is still in force, is not necessary to a decision in this case; that all the virus of unconstitutionality of the Trust Act is to be found in the proviso added to section 1 by the amendment of 1897 and quoted above, and that section 1 may be preserved by holding the entire amendatory act of 1897 unconstitutional and void, or, that the proviso may be rejected because repugnant to the purview of the act or section and cannot stand without rendering the act or section unconstitutional and destructive of itself. The result

would be the same in either case—that part of the law which is not obnoxious to the Constitution stands, while that part which infringes it is repealed.

The judges concur in the opinion that the exemption of the Loan and Homestead Association, contained in the proviso of section 7b in the amendment of 1893, does not affect the validity of the act of 1891, as amended by the amendment of 1893. Loan and Homestead Associations are a class to themselves, different in many particulars from all other corporations. As to them, the exemption and classification is not arbitrary and was within the power of the Legislature.

Lasher vs. The People, 183 Ill., 226.

VALID PROVISIONS OF THE ACT.

It is contended by the defendants that the amendment made in 1893—section 7a, providing for reports to the Secretary of State, violates section 10, article 2 of the State Constitution, which provides that "no person shall be compelled in any criminal case to give evidence against himself," and the fifth amendment to the Federal Constitution, "nor shall any person be compelled in any criminal case to give evidence or be a witness against himself."

There can be no doubt under the authorities as to the correctness of this provision, unless the clause of the act granting immunity is broad enough to prevent any prosecution for penalties or forfeitures in any proceeding in law or equity founded upon or growing out of disclosures made by the affidavit required by section 7a. The immunity clause of the statute is in the following language: "No corporation, firm, association, or individual shall be subject to any criminal prosecution by reason of anything truthfully disclosed by the affidavit required by this act or truthfully disclosed in any testimony elicited in the execution thereof."

In our opinion, this clause is broad enough to protect the corporation and officer or officers making the affidavit, not only against any criminal prosecution, strictly speaking, but also against any prosecution to collect any fine or against any action of debt to recover any penalty or against any proceeding at law or in equity to enforce a forfeiture of the charter of the corporation, which may be brought by reason of anything truthfully disclosed in the affidavit required in the act or disclosed in any testimony elicited in the execution thereof. * * * If complete immunity is afforded corporation and its officers, we can see no reason why under the power reserved by the State in sec-

tion 9 of the Corporation Act, the Legislature cannot prescribe in the exercise of the police power, a regulation requiring corporations to make the reports called for by section 7a of this act. Because one section of the Statute is unconstitutional, it does not follow that other sections of the same act which are within the powers given by the Constitution, should not be enforced.

Nelson vs. People, 33 Ill., 390.
Donnersberger vs. Prendergast, 128 Ill., 229.

The General Assembly may impose the duty upon any officer of a corporation to make report of its affairs and doings to the same extent it could impose such duty upon the corporation and may make the corporation liable for the failure of such official to perform such duty.

For the purposes of this decision, it is sufficient to hold that section 7a (of the amendment of 1893), which imposes the duty upon certain officials to make answer to the letter of inquiry of the Secretary of State remains in force and that the action of debt will lie to enforce the penalty prescribed for a failure to perform such duty.

PAYMENT FOR OVERTIME.

Labor. Held, that recovery may be had for labor performed after hours, where the contract of employment fixed the hours of employment, and that the receipt of regular pay for regular employment will not prevent such recovery.

Tried in the Circuit Court of Cook County and decided by Judge Dunne in May, 1899.

STATEMENT OF THE CASE.

One Reid contracted with Levi to work for him as a salesman and stockman, under an agreement in which the hours of employment were fixed "from a quarter before eight to half past six, except on Saturdays, when the store would be kept open until half past ten."

By direction of the employer, Reid performed a great deal of night work, sometimes working all night.

He was paid weekly, as per contract, and nothing was said at the time of receiving payment by either party as to compensation for night work until after several months had elapsed. Finally a dispute having arisen between Reid and his employer relating to the time of taking a vacation, the employer tendered Reid his last week's pay and demanded a receipt in full. Reid, thereupon, presented his claim for extra labor and demanded

payment. The employer refused to pay and disclaimed liability for the overtime and Reid brought this suit.

Reid kept an accurate account of the overtime and testified definitely thereto at the trial, and the jury gave him a verdict, whereupon the employer asked the court to grant a new trial. Upon the motion for a new trial, Judge Dunne rendered an opinion.

SUBSTANCE OF THE OPINION.

Employments Distinguished.

The defense relies upon the principles stated in Wood, on Master and Servant, to the effect that "if a servant employed for a term is required to labor an unreasonable number of hours each day or to perform labor upon the Sabbath, he cannot recover anything for extra work during the term unless there was an express promise to pay therefor."

This statement is plainly intended to apply to domestic or agricultural servants, the very nature of whose employment makes them liable to be called upon for assistance every day in the week and any hour of the day or night. It can have no application to such a case as that at bar, where a man contracted to sell his labor for a certain specified sum per week in commercial business, specifying in the contract when the day's work would commence and when it would close.

The court distinguished the following cases from the case at bar:

Gisell vs. Noel Bros. Flour, Feed Co., 9 Ind. App., 251.
Foster vs. Grigg, 111 Mich., 264.
Haverhill vs. U. S., 14 Court of Claims, 203.
Schurr vs. Savigny, 85 Mich., 144.
McCarthy vs. Mayer, 96 N. Y., 1.
Guthrie vs. Merrill, 4 Kan., 159.
Lowe vs. Marlowe, 4 Ill. App., 420.

No case in point from the Supreme Court of this State has been cited by counsel on either side, but the view held by this Court has been recognized by the Supreme Court of Maine in the well considered case—Bachelder vs. Bickford, 62 Maine, 527, in which the court declares "if a laborer works nights after his legal (contractual) day's work is done, at the request of the employer and for his benefit the law implies a promise on his part to pay for such labor. Acceptance of pay for the day labor is no bar to recovery for the night labor. It is true that the above rule is not applicable to 'monthly labor' nor to agricultural employments."

In the case under consideration, the plaintiff contracted to perform about eleven hours labor each day, for a fixed price per week. If he had contracted to deliver to his employer eleven barrels of flour each day for so much per week, can it be doubted that if at the request of his employer he delivered fifteen barrels of flour each day per week, he could recover for the extra barrels of flour so delivered? Why, then, should a different rule apply to labor than to merchandise? The one is as valuable to the employer and the merchant as the other. The defendant in the case at bar recognized its value by docking plaintiff twenty-five cents for being two minutes late. Why, then, should he not compensate him for extra labor performed by him in hours outside of the hours specified in the contract? Labor is the only commodity that a great portion of the community has to sell. Why should not the same rule apply to it as to merchandise? This court knows no reason why.

NOT CONCLUDED BY RECEIVING WEEKLY PAY.

In the case at bar, plaintiff was not informed at the time he made his contract that he would be required to work overtime, and never gave a receipt in full. He receipted regularly for each weekly stipend, less such deductions as were made from time to time as fines for being late at work, but never in full, and regularly kept an accurate memoranda of his overtime in anticipation of a final settlement. "Acceptance of pay for day labor will be no bar to a recovery for night work." Bachelder vs. Buckford, 62 Maine, 527.

All of the extra labor performed by plaintiff for defendant, for which he seeks compensation, was performed at night and without the hours specified in the contract, and after defendant's store was closed, some of it for all night vigils, and the court can see no just reason and recognizes no rule of law which deprives him of compensation therefor.

TEACHERS AND THEIR SALARIES.

Teachers' Salaries. Held, that the Board of Education cannot reduce teachers' salaries during the school year for which they are employed and that the teachers did not lose their rights to the salaries contracted for by signing the pay rolls and receipting for amounts paid them.

STATEMENT OF THE CASE.

In 1900, the Board of Education adopted a resolution reducing the salaries of the teachers in Chicago, whereupon Katherine Goggin brought suit against the board to enjoin the enforcement

of such resolution. Case was heard before Judge Dunne, who rendered the opinion therein.

SUBSTANCE OF THE OPINION.

Employment of Teachers is a Yearly Contract.

A resolution of the Board of Education fixing the salaries of the teachers for the ensuing year, election of teachers thereafter and the performance by the teachers of their work under the contract constituted a valid contract between the Board of Education and the teachers as to their salaries for the full school year which cannot be abrogated by an ex parte resolution of the board thereafter during the year.

City Council Has Power to Designate Items of Appropriations.

The city council, in an ordinance appropriating part of the school fund, has the power, if it so elects, to designate or specify each particular item for which the fund appropriated shall be used.

Signing Pay Rolls Not Accord and Satisfaction.

The fact that the teachers signed the pay rolls submitted by the Board of Education for the respective months in question did not constitute an accord and satisfaction so as to bar action for the further amounts claimed, but amounted simply to receipts for the amounts set opposite the respective names of the signers.

Equity Favors "Diligent Creditor."

The action of the teachers through the complainant in enforcing the payment into the public treasury by tax-avoiding quasi-public corporations of the very fund in controversy by a long protracted, expensive and laborious consideration constrains a court of equity to recognize them as "diligent creditors" and to give them and enforce in their behalf an equitable lien upon the fund in question for the payment of their debts out of the fund so unearthed and produced.

THE CONTRACTUAL RELATION BETWEEN MASTER AND SERVANT.

Labor. Held, that workman who has contracted with an employer for his services, cannot be enjoined from abandoning such services and entering into the employment of another.

Donker & Williams Company brought suit against H. G. Vance, in the Circuit Court of Cook County, which came for decision before Judge Dunne, October 2, 1900.

Pam, Calhoun & Glennon represented the complainants, and Rich & Loer represented the defendant.

STATEMENT OF THE CASE.

In their bill of complaint, the complainants alleged that "defendant is competent, skilled and well versed in the leather goods business, and competent and able to take charge of and become foreman of the leather goods department of complainant's business;" that "his knowledge and skill are peculiar and special to himself;" that they, the complainants, cannot "find any other person possessing the same peculiar skill and qualifications;" that on account of such qualifications, they employed him as foreman at a salary of $18.00 a week, in consideration of which the defendant, Vance, agreed to give his whole time, skill and experience for a certain period and to work for no one else; that pursuant to said contract, Vance entered the company's employment, worked for about two years, became acquainted with the names of the persons for whom complainant purchased its raw material and the prices paid for same and the cost of articles manufactured by complainant, and thereupon left complainant's employment and is engaging in business with others in competition with complainant; that complainant is absolutely unable to replace the defendant, and cannot, at the present time, procure any other person possessed of the requisite skill and ability to carry on the services agreed to be performed by the defendant."

As the case came before the court (on demurrer), all these allegations stood admitted.

SUBSTANCE OF THE OPINION.

Specific Performance Cannot be Decreed.

At the outset it will be conceded that specific performance of such a contract cannot be decreed. No court in any country where the common law prevails, has ever attempted to compel one man to work for another, no matter how solemnly he has contracted so to do. It is to be hoped that many years will elapse before such a decree will be entered.

A MAN MAY NOT BE ENJOINED FROM WORKING FOR ANOTHER.

Counsel for complainants contend that when a man has contracted to work for one company or individual, he may be enjoined from working elsewhere during the term of such contract, and cite in support of their contention:

Hoyt vs. Fuller, 19 N. Y. S., 962.

Duff vs. Russell, 14 N. Y. S., 134.
Canary vs. Russell, 30 N. Y. S., 122, 9 Misc., 15.
Daily vs. Smith, 49 How. Practice, 150, 38 N. Y. Sup. Ct., 158.
Hayes vs. Willis, 11 Abbott's Practice, N. S., 167.
McCaull vs. Braham, 16 Fed., 37.

All these cases, on examination, will be found to be not cases between master and servant or employer and employe, providing for the rendering of services which would bring the contracting parties in close personal contact from day to day over a lapse of time, but pure theatrical contracts providing for the production of certain plays or exhibitions before the public, and in all of them it would appear that large amounts of money had been expended in providing theatres, advertising, etc., upon the force of the contracts.

Because of such expenditures and because the services contracted for were in their very nature unique and of an extraordinary character so that they could not be replaced, and consequently there could be no adequate remedy at law, the court of chancery has very properly intervened to prevent the contracting performers from exhibiting elsewhere. There is a plain distinction between such cases and cases involving the relation between master and servant or employer and employe.

Under similar circumstances, as admitted by all the parties to this suit, the issuance of an injunction has been denied as against an insurance agent in Burney vs. File, 91 Ga., 701, 71 S. E. 986.

As against a baseball player in Met. Ex. Co. vs. Ewing, 42 Fed., 198, 7 L. R. A., 381.

As against a lithographic designer in Strowbridge Lithographic Co. vs. Crane, 20 Cir. Pro., 24, 12 N. Y. S. 834.

And as against an acrobat in Cort vs. Lassard, 18 Ore., 221, 22 Pac., 1054, 17 Am. St. Rep., 1054, 6 L. R. A., 653.

AGAINST PUBLIC POLICY.

In the judgment of this court it is against public policy to force an unwilling servant to work for his master or an unwilling master to keep a servant after the relations have become strained and distasteful. To force them into daily contact with each other, under such circumstances, would be fraught with much more evil consequences than might flow from the breach of the contract of employment. Better far to leave them to their remedies at law, even though inadequate, than to force association and personal contact between hostile and unwilling parties.

VIOLATION OF THE CONSTITUTION.

It is against the spirit of the 13th amendment of the Constitution of the United States, which prohibits "slavery and involuntary servitude" within its borders. Involuntary servitude in juxtaposition to the word "slavery" has a significance so placed, it cannot mean the same as slavery, else it is a redundancy. It must mean servitude outside of slavery. Outside of slavery servitude can originate only by contract. No free man can become the servant of another except by consent, to-wit, by contract. Involuntary servitude can only arise, therefore, after a consenting party changes his mind and becomes an unwilling servant—in volens servitor.

THE INJUNCTION SOUGHT TANTAMOUNT TO A COMMAND TO WORK FOR COMPLAINANT.

It may be said that there is a difference between enjoining a man from working for others and compelling him to work for one man in particular. In effect there is none. To say to a man, "work for me or nobody," if that man be, as alleged of defendant, without means, is to say "work for me or starve," such a heartless edict should not go out of a court of equity. That there are cases in which courts of equity have negatively enforced specific performance where it was impossible to do so by positive decree, is not denied, but I have failed to find any arising between master and servant and employer and employe.

NOT AN EXCEPTIONAL CASE.

It is claimed that the allegation that "the knowledge and skill of the defendant are peculiar and special to himself," and that "complainant cannot at the present time procure any other person possessed of the requisite skill and ability to conduct the services agreed to be performed by defendant," places the case in the same category as the theatrical cases alluded to. The court is of a contrary opinion. These allegations are mere conclusions. No facts are set out to sustain them. It does not appear that defendant is acquainted with any special or secret process or gifted with any special or unusual dexterity. The facts as alleged are that he is a skillful and expert leather worker, thoroly competent to act as foreman, and that he was employed at $18.00 a week. This does not place him in the category of a prima donna, a tragedienne or premier danseuse.

ASSIGNMENT OF UNEARNED WAGES.

Wages, Assignment of. Assignment of wages, due or to accrue from the present or any future employers for ten years, as security for the payment of a usurious debt, held invalid.

In 1901 a bill was filed in the Circuit Court of Cook County for an injunction to prevent C. F. Wenham from enforcing an assignment of wages, executed by one Mallin, the complainant in the bill.

STATEMENT OF THE CASE.

Mallin in June, 1898, signed and delivered to Wenham, an instrument in writing, which reads as follows: "For a valuable consideration to me paid * * * I do hereby transfer, assign and set over to C. F. Wenham, his heirs and assigns, all salary or wages due or to become due me from P. D. Armour & Co. or from any other person or persons, firm, copartnership, company, corporation, organization or official, by whom I may now or may hereafter become employed, at any time before the expiration of ten years from date hereof."

The evidence shows that the instrument in question was given to secure a loan made at usurious rates of interest.

It was further shown that Mallin filed a petition in bankruptcy, scheduled the indebtedness he owed to Wenham, and after legal notice to Wenham, obtained a discharge in bankruptcy in October, 1899.

ASSIGNMENT OF WAGES DUE OR TO ACCRUE FROM PRESENT EMPLOYER SUSTAINED IN SOME COURTS.

Assignments of unearned wages have been sustained in courts of equity, when such assignments cover wages to be earned by an employe from an employer in whose employment he was engaged, at the time of making the assignment. McNamara vs. Coal Co., 6 Culp Pa., 181; Evans vs. Kingston Coal Co., 6 Culp, 351; Auger vs. Commercial Packing Co., 39 Conn., 536; Hawley vs. Bristol, 39 Conn., 26; Manhall vs. Quinn, 1 Gray, 107; Hartley vs. Kapling, 2 Gray, 566; Ouilett vs. Osairus, 124 Mass., 162; King vs. Clow, 36 Mich, 436; and Fair vs. Kelly, 28 Vt., 19.

ASSIGNMENT OF WAGES TO ACCRUE FROM FUTURE EMPLOYERS NOT RECOGNIZED.

The cases above referred to, while sustaining assignments of wages from present employers, hold that an assignment of wages to be earned from future employer or employers, nonexistent at the time of the assignment, cannot be sustained in law or equity.

ASSIGNMENT OF WAGES TO ACCRUE AGAINST PUBLIC POLICY OF ILLINOIS.

It is undoubtedly the law that assignments of moneys not due or to become due upon contracts, leases and other instruments will be enforced as executory contracts in courts of equity and when the moneys actually do fall due, a court of equity will enforce the collection of the same in favor of the assignee.

In the cases above cited, no distinction is drawn between moneys which would accrue in the future as wages due employes and moneys falling due in other cases, nor was the question directly raised that an assignment of wages to be earned in future was against the policy of the law in the states in which the decisions were rendered.

The complainant here and one of the defendants, Armour & Co., contend that the laws of the State of Illinois draw such a distinction and that it is the policy of the State to protect the wages of laborers against claims in the nature of assignments.

This policy is indicated in the facts that the revised statutes of Illinois, for many years past have contained laws enacted for the special purpose of securing to laborers and employes, special rights in the way of collecting and preserving wages. The Garnishment Act exempts from garnishment a certain amount of wages each week. The claim of laborers and servants for wages, is made a preferred claim, which must be paid in full before the other debts can be paid in whole or in part. In a suit brought to recover wages, an attorney's fee is allowed to the plaintiff to enable him to collect the same. Wages due employes are made liens under the mechanic's lien law.

All these cases plainly indicate that the policy of this State is to secure to a laborer or employe, the fruits of his labor in cash.

ASSIGNMENT OF WAGES CONTRARY TO THE STATUTE.

Aside from all the acts above referred to, however, the Legislature, in 1891, passed an act which to this court seems conclusive of the question involved in this case. Section 3 of the act provides that "it shall be unlawful for any person, company, corporation or association employing workmen in this State to make deductions from the wages of his, its or their workmen except for lawful money, checks or drafts actually advanced, without discount, and except such sums as may be agreed upon between employer and employe, which may be deducted for hospital or relief fund for sick or injured employes."

The aim and object of this statute was plainly to secure to every employe in this State the right to collect his wages in cash.

To further secure the payment of such wages in cash, section 4 of the same act provides that "any deductions made from the wages of any workman in this State, except as provided in section 3 of this act, may be recovered in any appropriate action before any court of competent jurisdiction, together with such reasonable attorney's fee as the court in its discretion may think proper and no offset or counter claim of any kind shall be allowed in such proceeding." And by section 5, the act provided that "all attempts to evade or avoid the provisions of this act by contract or otherwise shall be deemed a violation thereof, and for every violation in addition to the severe remedy provided for in section 4, there shall, on conviction, be a fine imposed of not less than $50.00 nor more than $200.00.

The Legislature in passing this act seemed to be actuated by a resolute purpose to enforce the payment of all wages in cash and to prevent in every possible way any shift or device which would prevent a laborer or employe from receiving his wages, when due, in cash.

If the assignment in question in this case be upheld by the courts any employer or employe can evade and avoid its provisions by giving or accepting such an assignment at any time before the wages are earned, and thus the object which the Legislature was so strenuously seeking to accomplish would be frustrated.

Sections 1 and 2 of the act of 1891, just referred to, applying to truck stores, have been held unconstitutional in Frorer, et al, vs. The People, 141 Ill., 171, as applying specially to mining and manufacturing corporations only, but that decision in no way impairs the force or vitality of sections 3, 4 and 5, appyling to the payment of wages.

THE WAGES OF THE LABORER GIVEN SPECIAL PROTECTION BOTH FOR HIS OWN BENEFIT AND THAT OF HIS FAMILY.

These statutes relating to the payment of wages are for the protection not only of the laborer, but his family, and by no act of his own can the wage earner waive the protection thrown around his family as well as himself by the law. In Recht vs. Kelly, 82 Ill., 147, it is held that a waiver of an exemption where the same is attempted to be made by an executory contract, is invalid, and will not be enforced, citing Phelps vs. Phelps, 82 Iowa, 545; Curtis vs. O'Brien, 20 Iowa, 376; Maxwell vs. Reid, 7 Wis., 583.

The Supreme Court in that case declared that the principle in the cases cited is "that the exemption created by the statute is as much for the benefit of the family of the debtor as for him-

self, and for that reason he cannot, by an executory contract, waive the provisions made by law for their support and maintenance. Such contracts contravene the policy of the law, and hence are inoperative and void * * * laws enacted from considerations of public concern and to subserve the general welfare cannot be abrogated by mere private agreement." Recht vs. Kelly, 82 Ill., 147-148.

The salutary effect of such a law can be fully appreciated when we consider for a moment the overreaching and outrageous character of the alleged assignment introduced in evidence in this cause, under which it is sought to mortgage the whole earning capacity of a head of a family, for ten years, for the payment of a usurious debt.

CONTRARY TO THE SPIRIT OF THE CONSTITUTION.

If a laborer or employe in this State can be permitted to mortgage or assign absolutely his whole earning capacity, for ten years in advance, he can be permitted upon the same principle to mortgage or assign his earning capacity for life. If this be possible, the thirteenth amendment to the Constitution of the United States which declared that "neither slavery nor involuntary servitude shall exist within the United States," would be practically nullified.

THE DEBT DISCHARGED IN BANKRUPTCY.

The discharge in bankruptcy granted to Mallin on the 23rd day of October, 1889, is a complete discharge of his indebtedness due to the defendant, Wenham, and the debt having been discharged, the security given by the alleged assignment of wages to be earned subsequent to the discharge in bankruptcy, must fall to the ground. When the debt itself is discharged, a security springing into existence subsequent to the discharge, by reason of any prior executory contract, cannot be held for the payment of the discharged debt. Thomas vs. Cohen, 7 Law Rep. (Q. B.), 527; Cole vs. Kernon, 7 Law Rep. (Q. B.), 534.

ENJOINING UNLAWFUL TRADE COMBINATIONS.

Trade Combinations. An agreement amongst brick makers and contractors by which the members of the combined association shall be permitted to purchase materials from certain persons, firms and corporations only, and employ only members of the bricklayers association, held unlawful and enjoined.

In 1899 the Union Pressed Brick Company brought suit against the Chicago Hydraulic Pressed Brick Company, et al, in the Circuit Court of Cook County, under the general number

196,935, asking for an injunction against the defendants to prevent them from carrying out a trade combination. Newman, Northrup & Levinson represented the complainants and Darrow, Thomas & Thompson, Henry M. Matthews and Gott & Robinson represented the defendants. The case was heard on bill and affidavits in support thereof and demurrer to the bill and decided on July 29, 1899, by Judge Dunne.

STATEMENT OF THE CASE.

The bill filed alleges that complainant, the Union Pressed Brick Company, is a corporation engaged in the manufacture and sale of pressed and sewer brick, having $100,000 invested in its business; that in the year 1898 it sold 2,300,000 pressed brick in Cook County and realized substantial profits, but that on the 9th day of May, 1899, the defendants entered into a conspiracy to prevent the sale of any brick except that furnished by the companies so conspiring, by reason of which complainant's business was greatly injured and the quantity of brick sold by it greatly reduced; that the unlawful agreement entered into between the defendants was enforced by severe fines and penalties, and included not only provisions relative to the furnishing of brick, but as to the employment of journeymen stone masons and brick layers; that the purpose of such agreement and conspiracy was the restraint of the sale of and trade in pressed brick and paving brick for building purposes, and to secure to themselves a sole monopoly in the sale thereof at arbitrary, increased prices.

As the record came before the court (on demurrer), these allegations stood admitted.

SUBSTANCE OF THE OPINION.

Agreement is Contrary to the Act of 1897.

The General Assembly of Illinois, in the year 1897, passed an act making criminal, "a combination of capital, skill or acts by two or more persons, firms, corporations or associations of persons, for either, any or all of the following purposes: First, to create or carry out restrictions in trade; second, to increase the price of merchandise or commodities; and third, to prevent competition in the sale or purchase of merchandise or commodities."

It is undoubtedly true that an individual or corporation may enter into a contract to sell its property, merchandise or labor to certain persons and none others. It is also true that individuals or corporations have the right to refuse to contract with other individuals or corporations, but these propositions are sub-

ject to this modification, that in contracting or refusing to contract they do not commit a criminal offense.

Where the Legislature in its wisdom has seen fit to abridge the right of contracting and declares that certain contracts are criminal offenses, then such contracts or combinations are without the pale of the law and instead of being sustained and carried out by the courts, must receive their condemnation.

Can it be doubted, if the defendants in the case at bar have entered into the arrangements set out in the complainant's bill, that the aim would be to restrict trade to increase the price of pressed and paving bricks and prevent competition in the sale thereof?

PARTY IN INTEREST MAY SUE WHERE DAMAGED AND WHERE THE REMEDY AT LAW IS INADEQUATE.

The defendants contend that even if the combination complained of is a criminal offense, that no individual has the right to enforce the law.

True, a court of equity should not in general enjoin crime as crime. The machinery of the criminal law is supposedly adequate, but if the commission of a crime involves the loss of private property, the owner thereof should and can obtain redress for his loss in a court of common law, where that relief is adequate, but where the commission of such crime will entail property loss to a private citizen, for which he has no adequate relief at common law, the courts of equity should give redress to the person who has been made to suffer such irreparable injury.

In the Springfield Spinning Co. vs. Riley L,. R. 6 Eq., 551, it was held upon demurrer (syllabus): "That the acts of the defendants, as alleged by the bill, amounted to crime and that the court would interfere by injunction to restrain such case, inasmuch as they also tended to the destruction or deterioration of property."

Sir R. Malins, V. C., in passing upon this identical question, makes use of this language (p. 558): "The jurisdiction of this court is to protect property and it will interfere by injunction to stay any proceedings, whether connected with crime or not, which go to the immediate or tend to the ultimate destruction of property or to make it less valuable or comfortable for use or occupation." Lord Eldon in the case of Macauley vs. Shackell, 1 Bligh (N. S.), 96,127, says: "The court of equity has no criminal jurisdiction but it lends its assistance to a man who has in the view of the law a right of property and who makes out that

an action at law will not be a sufficient remedy and protection against intruding upon his publication."

Other cases clearly indicating that a court of equity has jurisdiction, are: Hopkins vs. Oxley Stave Co., 83 Fed., 912; National C. & St. L. Railway Co. vs. McConnell, 82 Fed., 65; Port of Mobile vs. Louisville & N. R. Co., 84 Ala., 115-126; 4 So., 106, 112.

It is true that most, if not all of these cases, are cases in which a court of equity gave relief by injunction as against striking workingmen, but if it be the law as against workingmen, why should it not also apply to capitalists? The defendants in the case at bar, under the allegations of the bill, have practically a monopoly of the pressed and paving brick business in the county of Cook, but the same rule of law should apply to them as to the workingman, especially in view of the fact that it is alleged in the bill that the damages occasioned by their conduct are not capable of being definitely ascertained in a court of law; that the business of the complainant is being ruined and that its damages would be irreparable.

UPON GIVING A FORGER A CHANCE.

From the Chicago Journal of Law, February, 1893.

"One touch of nature makes the whole world kin." We are reminded of the poet's immortal words by a scene recently enacted in a Chicago court of justice in which justice was tempered with mercy. If all judges should follow the example set in this case—well the world would not continue to grow worse. From the Chicago Journal of Law we quote the story as follows:

"According to a legend old, Man, after his disobedience and consequent fall, was summoned to appear before his Creator. The Supreme Judge, before passing sentence, sought the counsel of his ever attendant ministers, Justice, Love and Mercy, propounding to them the question, 'What shall be done with Man?' Justice answered saying, 'Oh! Lord he has sinned and should suffer death,' Love said, 'He has erred without excuse, and at Thy righteous hands deserves punishment dire;' Mercy, in plaintive yet potent tones, replied, 'Oh! Most High, forgive his past and entrust his future to me.' The Great Father voiced the judgment of his eternal heart, saying, 'Man, go thou and sin no more, remembering thou art the Child of Mercy.'

"A most happy and deserving recognition of the moral of this legend found full exemplification in Judge Dunne's court the other day. A man unable to secure employment, driven to desperation and despair by the hunger and suffering of his mother and motherless child, had, through forgery, obtained the means to relieve them. He had been indicted and, upon arraignment, told the simple, sad truth; the verdict was guilty, and the sentence imprisonment in the penitentiary. His Honor, seeking as all judges should, full advices as to the character of the culprit, discovered that his life bore no prior blemish, and that he was known among men as a good citizen, a faithful son, and devoted father, and although he was shackled in the chain-gang for removal to prison, this truly just judge did not hesitate to reprieve him, bidding him go forth and reclaim as his due deserving his seemingly lost estate among his fellow men. This simple, yet suggestive act, so much out of the ordinary of judicial procedure is a higher, a better—richer testimonial to the worth and wisdom of this jurist than any decision a judge, though he be a Mansfield or a Marshall, can ever render."

OFFICERS WHO EXCEED AUTHORITY.

STATEMENT TO THE PUBLIC, FEBRUARY, 1896.

Senator Joseph O'Donnell made an unsuccessful effort to secure the release of Officer Constantine Walezynski, of the Rawson Street station, from the county jail yesterday.

Last Sunday morning Officer Walezynski shot and killed John Arkuszenski, on Milwaukee Avenue. Arkuszenski is claimed to have interfered with the policeman while the latter was in the discharge of his duty. Officer Walezynski placed Arkuszenski under arrest and the latter ran. The officer drew his revolver and shot Arkuszenski.

Senator O'Donnell appeared before Judge Dunne and asked that the court fix the amount of a bail bond, saying the defendant was prepared to give a good and sufficient bond in any reasonable amount. Judge Dunne refused to admit Officer Walezynski to bail. He said that all the circumstances went to show that the shooting was unjustifiable. At best young Arkuszenski had done nothing but interfere with the making of an arrest and the facts seemed to indicate that he was only interceding in behalf of a friend under arrest and not interfering.

"There is too much of this sort of thing going on in Chicago," said his Honor. "Because a man wears a star and carries a club and pistol is no reason why he should go about shooting down citizens. I will not admit this man to bail. Take him back to jail."

RELATIVE TO THE MANGLER BRIBERY CASE.

STATEMENT OF JUDGE DUNNE FROM THE BENCH IN SENTENCING ALDERMAN WILLIAM MANGLER TO JAIL FOR CONTEMPT OF COURT IN REFUSING TO TESTIFY, AUGUST 12, 1897.

"The record in the case shows that the relator is a business man," said the court. "He is well educated, has been deemed fit to be honored with public office, and knows the duties of citizenship. He has stated to several persons that he was offered a bribe at a time when the public was satisfied that bribery was rife. The character of the legislation, which was against the interests of the people, warranted this belief. These statements have been made in this court.

"Though an intelligent man and capable of judging the position that his refusal would place him in, he has refused to help in the administration of justice, though himself a public officer.

"To inflict a small fine or a fine alone in this matter would have no effect on him, on the public, nor on any other citizen. The punishment should fit the crime.

"He does not stand in the position of a public officer refusing to obey the court because he believes that it would be the violation of his sworn duty as a public officer, but he stands in the position of a public officer who has refused in defiance of the court to do what justice to himself and the public demands."

USERS OF SPACE UNDER SIDEWALK MUST PAY FOR SIDEWALK INJURIES.

SYNOPSIS OF OPINION BY JUDGE DUNNE, DECEMBER 13, 1899.

"It is against public policy to allow public property to be used by private individuals without requiring the private individuals or corporations so using public property to insure citizens passing over the public property against any loss that they may suffer by reason of the private use of such property." This was the chief point in a decision rendered by Judge Dunne yesterday, which, if sustained in the upper courts, will revolutionize the present judicial practice in connection with the liability for sidewalk accidents where injury is suffered because of open or defective coal holes or similar operations.

The finding of the court, overriding several Supreme Court rulings cited as in point, occasioned much comment in legal circles. The decision in part was as follows:

"When a private citizen is in the exercise of privileges or a license, express or implied by the public, he becomes, in the exercise and use of the privilege, an insurer to the public that they shall not be injured and cannot release himself from responsibility by leasing to a tenant who agrees to keep the coal hole or other aperture in a safe condition.

"As between landlord and tenant, he can compel the tenant to live up to such a contract, but between himself and the public he is bound to see that the coal hole cover is in a safe condition and insure the public from damage through defective construction. In the authorities cited to me by counsel the Supreme Court has held that the tenant and not the landlord is liable to such injuries because the tenant is in actual possession of the property. In none of these cases was the question of public policy presented or argued. I am confident that on the presentation of the question of its being against public policy to allow private individuals to control public property without insuring the public from injury the Supreme Court will reverse its finding in these cases."

THE RIGHTS OF PARENTS TO CHILDREN.

EXCERPT FROM A DECISION BY JUDGE DUNNE, 1899.

There is no law in Illinois or in any other state that can take children away from their parents without due notice. There can be no law that rises above the natural law—unless by some act the parents forfeit their rights.

MUTUALITY OF CONTRACT—CONSIDERATION—UNCONSCIONABLENESS.

FROM CHICAGO LAW JOURNAL, MARCH 16, 1900.

"The case of the Hoops Tea Company v. Dorsey, disposed of this week by Judge Dunne, of the Circuit Court, on a final hearing on a bill for injunction intended to secure the specific performance of a contract, possesses unusual interest. The contract in question was of the "spider and fly" variety, used by corporations to absorb competition and destroy competitors. The method exemplified in this contract, employed by a corporation or company to secure to itself a monopoly of the business in its line in the territory of its operations, is to offer high wages and other great inducements to smaller operators in its line of trade, to turn over to it their customers and enter the company's employ, requiring, however, that they sign a contract binding themselves to not, even after quitting or being discharged from the employ of the company, engage in the same line of business nor to enter the employ of a rival of the company in the territory in which it operated; the company reserving the right to discharge the employe at its own pleasure.

"One of these contracts was entered into by one Dorsey and the Hoops Tea Company, which provided, among other things: 'That said party (Dorsey) shall in no way interfere or compete with the business, customers, or trade of said first party, or in any way solicit its customers in Chicago, Illinois, for a period of two years after the termination of this contract;' another provision of the contract required the execution of a bond for $500 by Dorsey, satisfactory to the tea company, as guaranteeing faithful performance on his part. Some months subsequent to the execution of this contract the tea company filed a bill against Dorsey, setting forth that he had been discharged from its employ, the contract terminated by it, and that in violation of the terms of the contract he was interfering with the business of the company by soliciting trade from its customers on the route which he had worked while in its employ. An injunction, as prayed for, was issued without notice. Upon hearing, Judge

Baker sustained a motion to dissolve the injunction. The matter came up before Judge Dunne, upon a suggestion of damages, when Bastrup & O'Neill, counsel for Dorsey, urged that the bill, being one for injunction only, not having been amended its dissolution operated as the sustaining of a demurrer to the bill, citing numerous Illinois authorities.

"Judge Dunne decided to hear the whole case and pass on the validity of the contract. Respondent's counsel argued that the contract was unilateral and unconscionable and so lacking in mutuality as not to be enforceable in equity, while Tenney, McConnell, Coffeen & Harding, and Louis Kistler, counsel for complainant, contended that the employment was sufficient consideration. After conclusion of evidence and arguments Judge Dunne held that no term of employment having been fixed in the contract it was without consideration; that it was unilateral and not such a contract as should be enforced in equity. The court entered a decree dismissing the bill for want of equity, granting the prayer of the cross-bill, annulling the contract, and restraining the Hoops Tea Company from prosecuting any suit at law or equity for the enforcement of the contract."

ON SENTENCING A CHICKEN THIEF.

By Judge Dunne in Criminal Court, January 29, 1901.

Probably the shortest sentence ever imposed in a burglary case was pronounced by Judge Dunne in the Criminal Court. He decreed that Frank Stetinski, 885 West Thirty-fourth Street, should serve one hour in jail for attempting to steal two chickens belonging to John Bridges, 1390 West Thirty-fifth Street.

The small sentence was not imposed owing to the value of the goods stolen, but through mercy which the judge felt for the prisoner and his family. Stetinski has a real hard luck story connected with his case, which involves the death of his wife, his arrest shortly after and a starving family depending upon him for support.

Shortly before Christmas, Stetinski was caught in Bridges' chicken coop with two hens in a bag. He explained his presence there by the fact that his wife was sick and almost dying and that she needed food. He secured bonds and was admitted to liberty.

His wife died last Friday. Hardly had the undertaker been notified and while the family was deep in grief, a deputy sheriff arrived with a capias ordering the arrest of the husband. He had been indicted by the grand jury that day, and his arrest should necessarily follow.

The deputy sheriff was told the piteous story and he telephoned to his superior, Chief Deputy Kunz, who told him not to arrest the man. Stetinski was told to appear in court Monday after the funeral. This he did. Judge Dunne recommended that the plea of guilty to petit larceny be entered.

But Bridges was incensed. Despite all Stetinski's trouble he wanted the prisoner sent to Joliet. Bridges recovered his property and was put to no expense by the trial. Judge Dunne refused to listen to the plea of the complainant.

ON COMPULSORY VACCINATION.

DECISION BY JUDGE DUNNE, JUNE, 1901.

The right of directors of a school district or a board of education to insist upon the vaccination of a child, as a prerequisite to his being allowed to attend a public school, is the question involved in the case at bar.

This question has been recently presented to and determined by the Supreme Court of this State in Potts v. Breen, 167 Ill., 67, decided in May, 1897, and in Lawbaugh v. Board of Education, 177 Ill., 573, decided in February, 1899. In the former case that court declares "that the right or privilege of attending the public schools is given by law to every child of proper age in the State, and there is nowhere to be found any provision of law prescribing vaccination as a condition precedent to the exercise of this legal right. Whether the Legislature has the right to make such a requirement or not, it is not necessary here to consider. It is sufficient it has not done so. And it can not be supposed that the Legislature has undertaken, and not expressly, but by mere implication from the general language used in creating the State Board (of Health), to confer upon that mere administrative body such vast power over the rights and liberties of the individual citizen as to deprive him of his constitutional and statutory rights, unless he shall submit his body to be inoculated with vaccine virus as a mere precaution against some possible future contagion of smallpox." * * * (pp. 73 and 74). "The Board of Health has no more power over the public schools than over private schools or other public assemblages." (p. 74). * * * "School directors and boards of education * * * have no authority to exclude children from the public schools on the ground that they refuse to be vaccinated—*unless indeed, in case of emergency, in the exercise of the police power, it is necessary, or reasonably appears to be necessary, to prevent the contagion of smallpox.*" (p. 75.)

"Undoubtedly children, infected with or exposed to, smallpox may be *temporarily* excluded or the school be *temporarily* suspended; but, like the exercise of similar power in other cases, *such power is justified by the emergency and, like the necessity which gives rise to it, ceases when the necessity ceases.*" (p. 75.) * * *

"Upon the same line of reasoning, without a *law* making vaccination compulsory, or prescribing it, upon grounds deemed sufficient by the Legislature as necessary to the public health, as a condition of admission to or attendance upon the public schools, neither the State board nor any local board has any power to make or enforce a rule or order having the force of a general law in the respects mentioned" (p. 75). In support of the views therein expressed, the Supreme Court cite the supreme court of Wisconsin in State v. Burge, 70 N. W., Rep., 337; and O'Neill v. Am. Fire Ins Co., 166 Pa., St. 72; Anderson v. Manchester, 63 N. W., Rep. 241. From the above language it will be seen that a rule or regulation requiring a child to be vaccinated as a precedent to his admission to school, can be passed by a school board or a board of education, only, in cases of emergency when it is, or reasonably appears to be, necessary to prevent contagion, and that when the emergency has passed the rule must fall to the ground. The facts in that case show that "no epidemic of small-pox was prevailing or apprehended in the vicinity of the school," and a mandamus was issued compelling the school board to admit into the school the unvaccinated relators.

In February, 1899, the same question was again pressed upon the notice of the Supreme Court, and disposed of in the following language:

"These questions were fully discussed in the Breen Case, and it is earnestly urged that we reconsider that case. * * * We adhere to the principles announced in that case and decline to further discuss the questions there determined. The only question in this case, not presented in that, is the action of the city council of the city of Geneseo, and we cannot hold that in the preservation of the public health, under the police power of the State, a municipality, invested with police power, may invoke such power for the purpose of invading the individual liberty of citizens of the community. Neither the city of Geneseo, nor the Board of Health of the State of Illinois, has power to require compulsory vaccination, except in the public contingency stated in the Breen case." Lawbaugh v. Board of Education, supra p. 574.

No decisions of this State to the contrary have been cited by counsel, and in view of this very recent and very emphatic language of our court of last resort, there can be no doubt as to the condition of the law in this State.

There is still no law of compulsory vaccination upon our statute books, and the city ordinances and the rules and regulations of the State and municipal boards of health, set up by defendants in their answer, can only avail them in "cases of

emergency'' when they are ''necessary or apparently necessary'' to prevent the ''contagion of smallpox.'' In other words, such rules and regulations can only be invoked when smallpox is either present or imminent. Defendants, however, besides setting up these ordinances and regulations, alleged in their answer that ''smallpox'' has been ''in epidemic form within the said city and that it is still prevalent therein,'' and that ''smallpox'' is ''still prevalent within the city of Chicago, and in the territory adjacent thereto.'' The demurrer must, therefore, be overruled and the case set down for trial when issue is closed, to determine the single question as to whether or not ''smallpox'' was actually present or reasonably imminent at the time of the filing of the petition for mandamus.

RIGHT OF POLICEMEN TO SHOOT AT FLEEING PRISONER.

STATEMENT BY JUDGE DUNNE, MARCH 12, 1902.

A man who had been shot in the arm by a policeman who was seeking to arrest him was advised by Judge Dunne in open court yesterday to sue the policeman for damages.

"Policemen have no right to shoot fleeing fugitives. They are empowered to arrest a man caught in the act of committing a crime or charged with a crime but that does not give them the right to shoot a man down because he seeks to avoid arrest by flight. Go and sue the man who injured your arm.

"There is no law in Illinois which gives a policeman the right to shoot a fleeing fugitive. Here are three cases in which men have been brought to my court with bullets in their bodies or with crippled legs or arms. In each case they were unarmed and were injured and maimed while attempting to escape. The sooner the police are taught they cannot use their weapons so freely the better it will be for all citizens."

RIGHT OF ADJOINING OWNER TO LICENSE A HACK STAND.

RULING BY JUDGE DUNNE, MARCH 17, 1902.

Important issues were settled by Judge Edward F. Dunne this morning in his decision in the "hack stand case." He holds that neither the owner nor the lessee of a frontage has a right to grant permission to a hackman to stand in front of the premises or to collect rent for the privilege. Judge Dunne in his decision said in part:

"Time was when the king, who held title in fee to all property, could do as he willed with property devoted to public use. But that time has passed.

"The city now holds the title in fee to its public streets, but in trust for the public, and cannot, as could the king, lawfully devote them to private uses.

"If the city were by ordinance to give one particular person or corporation the exclusive right to place his or its vehicles upon a public street, no lawyer would seriously urge that such an ordinance was valid.

"How does the ordinance under consideration differ from such an ordinance in principle or effect? Giving a man the right to designate who shall exercise a special privilege is just as effective and advantageous to him as though he was the direct donee of such a privilege. Indeed, it is a more valuable right. The donee of such a privilege might not be able in person to avail himself thereof, but the donee of the power of appointment to the privilege can derive all the emoluments without personal presence or use.

LOW WAGES AND FINANCIAL RESPONSIBILITY.

DECISION BY JUDGE DUNNE, MARCH 23, 1902.

"I can not ascertain how much this young man is short in his account. He says he has credits due him which would make up the amount you say he is short. When you gentlemen ask a man to take such a responsible position at such a small salary and where he is called on in performance of his duty to collect such large amounts of money, knowing that he has a wife and two small children, you are simply inviting him to commit a crime, or at least exposing him to temptation.

"I cannot permit him to be sent to the penitentiary. I will fix the amount of the shortage at $14 and sentence him to the county jail for thirty days. I believe West is a good man. Had his salary been even $5 more he would never have been exposed to temptation and the strength of the invitation to commit a crime would have been lost on him."

UPHOLDS CIVIL SERVICE LAW.

SYLLABUS OF OPINION OF JUDGE DUNNE, JANUARY 1, 1903.

Improper discharge of employes—Mandamus for their reinstatement.

Circuit Court, Cook County, Illinois, December 23, 1902.

People ex rel. Byrne, v. City of Chicago et al.

SYLLABUS.

Under the civil service act of Illinois, an employe, in the classified civil service of the city of Chicago, can only be removed under the terms and conditions set forth in section twelve of the act; held, that certain timekeepers in the water pipe extension division were improperly discharged without any trial or hearing of any character, and that a mandamus must issue for their reinstatement.

AGAINST JUSTICE COURT FEES.

LETTER TO THE SUPREME COURT OF ILLINOIS, JUNE 6, 1904.

To the Supreme Court of the State of Illinois:

The undersigned, as judge of the Circuit Court of Cook County, pursuant to law, respectfully reports to the judges of the Supreme Court the following defects and omissions in the laws of this State:

First. The laws of this State, as construed by the Supreme Court, permit a man to assign and mortgage his unearned wages for an indefinite period in the future, thereby establishing a state of peonage, fostering usury and depriving his wife and family of the means of subsistence. The evil wrought thereby in Cook County has become well nigh intolerable. The Legislature should pass a law declaring all such assignments null and void.

Second. The fee system which prevails in our justice courts is a fruitful source of injustice, and is burdening the upper courts with appealed cases of trivial importance, which are retried in the upper courts at enormous expense to the public, and so congest the calendars of the Circuit and Superior Courts of Cook County that at the present time it takes about three years for a case to be reached for trial.

Under the iniquitous fee system the defendants in a great majority of the cases appeal because they believe that under the present fee system they cannot procure a fair trial before a magistrate who collects his fees from the plaintiffs.

The fee system should be abolished and the justices of Cook County at least be paid fixed salaries.

The late Governor Altgeld once declared there were more judges in Cook County than in all England, and yet, by reason largely of the fact that much of their time is taken up in the trial of trifling cases on appeal, their calendars are rapidly falling behind.

I recently tried three cases in one day in the Circuit Court, the amount of money involved not in the aggregate exceeding $50.

Third. A City Court, having five judges, should be established in Chicago which should, in addition to the jurisdiction now conferred on City Courts, be given exclusive jurisdiction on appeal from justices of the peace of all violations of city ordinances and quasi-criminal cases. The judges of said courts should receive adequate salaries of $5,000 each.

Fourth. Indictment in all cases of petit larceny and other misdemeanors should be abolished. Such cases should, in the first instance, be tried upon information or complaint before justices of the peace and a jury of six, appeal to lie in case of conviction to the City Court, as in civil cases.

Under the present system the grand jury of Cook County is in almost continuous session, and the Criminal Court is glutted with such a mountain of indictments, many of them for trifling misdemeanors, that six judges are unable, by constant work, to do more than prevent a jail delivery by the running of the statute.

If petit larceny and misdemeanor cases were disposed of as suggested, in my judgment three judges would be sufficient to try all the felony cases in the Criminal Court

Respectfully,

E. F. DUNNE.

ON INEQUALITY TAX ASSESSMENTS.

ADDRESS TO SINGLE TAX CLUB, FEBRUARY 1, 1896.

Mr. Chairman and Gentlemen:

Political profligacy or political incompetence, or both, have forced upon the public within the last few months consideration of the question, "How are municipal expenditures to be kept within the limit of municipal income?" The city of Chicago is confronted today with a disparity between its available income and its liabilities during the current year amounting, according to the estimates of Mayor Swift, to the sum of $5,000,000, or, according to Alderman Madden, to $1,200,000. Whichever estimate be correct, it is an undisputed fact that hundreds of thousands of dollars worth of unpaid judgments against the city, drawing interest at the rate of five per cent per annum, appear unsatisfied upon the judgment dockets of our courts. Contractors for public improvements, where work has been fully performed, are clamoring for their pay; bills for current supplies furnished to the city are months overdue, and the firemen and policemen of the city are in monthly apprehension of being paid off with city scrip.

The great city of Chicago, with its population of 1,750,000, and its princely income of $34,000,000 per year, is so poor in money and so lacking in credit that it confesses itself unable to keep its corporal body clean or to protect its citizens from the contagion of deadly disease. The contractors who covenanted for the cleaning of its streets have long ago abandoned their contracts, and for months past the imperial city of the west has been the spiritless, mendicantlike recipient of alms given in the form of street cleaning by the employes of the Civic Federation. Even that mortifying and humiliating relief has been withdrawn and the great metropolis of the west today lies wallowing supinely in its own filth and ordure, a reproach and scandal to municipal government.

In this wretched condition of affairs, the people are beginning to ask, What has brought about this condition of affairs? How long must it last? How are we to get relief?

An answer to the first of these questions can be easily discovered. Two causes have contributed to bring about the present

distressed condition of the city's finances. First, corruption and dishonesty in the common council, which has been engaged for years past in bartering and giving away to private persons and corporations rights and franchises worth hundreds of millions of dollars, and in the added corruption or incapacity of duly appointed and paid heads of departments. The former class of public officials, elected and sworn to guard the public interests, have, year after year, in the most brazen and shameless manner voted away to street car companies, railroad companies, gas companies, electric light companies, and to every snug coterie of kid-gloved scoundrels who offer them their price, every right and privilege of value in the city, whether it was on earth or in the heavens above or the waters beneath.

All this has been done without practically a dollar's worth of compensation to the city. The incomes drawn from the exercise and utilization of these franchises and privileges by the owners run up into the millions, and would suffice in themselves, if they belonged to the city, to pay the whole annual tax levy of the city.

But this corruption is not all. When the duly elected and sworn officers of the city have been so recreant to their trust, is it to be wondered at that the understrappers appointed by and through them should be no less trustworthy? The stream cannot rise higher than its source.

If the common council will pocket swag, and give away the streets of the city, is it to be expected that the chief of the water department will honestly collect the water rates, or that the city collector will collect the license fees due from the running of street cars? But a few weeks since, according to the daily papers, the commissioner of public works declared that he had positive proof that several wealthy pork packing concerns had for years been stealing water from the city of Chicago.

There were loud protestations at the time that the city would collect from these concerns every dollar that the city had been swindled out of, which it was asserted amounted to hundreds of thousands of dollars, but, although many weeks have elapsed, I have failed to learn that any money has been paid over by the meter dodgers, or that any suit or other proceeding has been instituted for the collection of the same.

If this be taken as a fair sample of official conduct, can it be wondered at that the city is in an impoverished condition? Without doubt official corruption, or gross mismanagement, or indifference to the interests of the municipality, is one and probably the main cause of the city's present financial embarrassment. But this is not the only cause. While the municipal authorities of the city have been giving away with prodigal hand the heritage

of the whole people and allowing the city to be robbed of its water taxes, license fees, and other sources of income, they have also kept their eyes fixed upon the moneys which, by excessive and unequal levies upon honest taxpayers, they have managed to get into the hands of the city treasurer.

The one thing necessary to wipe out, within a reasonable time, the city's financial deficit, in addition to rational retrenchment in the civil list, is an honest assessment by valuation of real and personal property in this city, or a reform of assessments.

Yet, notwithstanding the clearly expressed and reiterated command of the statute, it is notorious that, within the memory of man, no assessment on a "fair cash value" has ever been made in the city of Chicago. Nor has any assessor ever held the office who was not guilty of moral, if not legal, perjury. It is further notorious that men who have held the office of assessor but for one term have retired from office after a few days' work with sufficient money in their vaults or bank accounts to keep them in luxury for the rest of their lives.

Let us see what unholy conspiracy between conscienceless property owners and unprincipled assessors under this law has accomplished in the way of defrauding the city within recent times. The ordinary citizen has his property assessed, if he does not "see" the assessor, at from fifteen to thirty per cent of its real value. The poor man's cottage is generally assessed at twenty per cent at least of its real value. Keeping this in mind let us see how the very valuable pieces of property in the heart of Chicago, all of which are owned by millionaires, are assessed. A few cases will suffice. I quote now from a most valuable work, the "Report of the bureau of labor statistics of the State of Illinois for 1894," a work which, by the way, the wealthy newspaper owners of Chicago have been singularly silent upon. I must except from this statement, however, the publishers of one paper, who have recently made use of the information contained in this valuable work, with telling effect. A few instances of unique assessments:

	Real value.	Assessed value.	Percentage of real value assessed.
Old Colony, southeast corner Dearborn and Van Buren Street—Estate Francis Bartlett	$1,677,500	$ 73,000	4.35
Manhattan, 307-321 Dearborn Street—Charles C. Heisen	1,550,000	72,000	4.65
Leiter Building, Siegel, Cooper & Co., L. Z. Leiter	3,900,000	204,000	5.23
Major Block, southeast corner LaSalle and Madison Streets—L. J. McCormick	1,375,000	76,500	5.56

	Real Value.	Assessed Value.	Percentage of Real Value Assessed
Bort Building, 17-21 Quincy Street—C. C. Heisen	$ 440,000	$ 26,000	5.91
Auditorium, Michigan and Wabash Avenues and Congress Street—Studebaker Brothers, H. F. Willing and Francis Bartlett	5,000,000	305,500	6.11
Caxton Building, 330-334 Dearborn Street—Augustus Lowell	650,000	42,800	6.58
Grand Pacific Hotel—L. Z. Leiter and Northwestern University	4,750,000	233,000	6.86
Security Building, southeast corner Madison Street and Fifth Avenue—M. M. Bryant	775,000	40,300	6.23
Studebaker Building, 202-206 Michigan Avenue—Studebaker, Lyon and Ross.	1,025,000	47,500	4.63

The foregoing ten cases are cited as striking instances of gross and corrupt favoritism in the matter of assessing the value of property in the city of Chicago. In each and every one of these cases the owners of the properties are reputed millionaires, many of them nonresidents, and by means of these grossly inadequate assessments the city has been deliberately robbed of its legitimate revenue, and the burden of supporting the city, county and State has been thrown upon the shoulders of citizens who are poor or of moderate means.

Which is the more dangerous element in this community? The men who, when ground down by unjust social conditions and the unfair distribution of the burdens of government to a fierce struggle for daily subsistence, talk of a social revolution or even anarchy, or the sleek millionaire, gorged and surrounded by all the luxuries of life, who year in and year out corrupts assessors, dodges his taxes, and thus throws excessive and intolerable burdens on the poor and brings about evils against which not only anarchists, but all honest men, should protest?

What, then, is the practical remedy for the present financial distress of the city of Chicago?

It has been suggested, and I believe by the mayor of Chicago, that a special session of the Legislature be called for the purpose of amending the law which limits taxation for municipal purposes, to two per cent of the assessors' valuation of property.

The suggestion should not, and I am confident will not, be entertained by the Governor. The only protection which the ordinary honest taxpayer has had against the corruption and rapacity of public officials has been this wise provision of the law. Were it not for this provision there probably would be no deficit,

but the rich man would be paying less taxes, while the poor man would be taxed to such a degree as to compel him to let the tax sale shark take his property.

This law should be amended, but instead of increasing the tax limit it should be decreased to the limit of one per cent, for all municipal purposes.

Experience has shown that the government, for all purposes, can be efficiently administered by honest officials at a cost of one per cent of the actual cash value of taxable property.

To accomplish these reforms I would suggest the following amendments to the law:

First. Abolish in all cities, township organizations, and township assessors.

Second. Limit all taxation for all purposes to one per cent per annum on the real cash value of property.

Third. Abolish all exemptions.

Fourth. Create a permanent board of assessment and taxation.

JUSTICE, NOT CHARITY.

JUDGE DUNNE IN "THE OBSERVER," DECEMBER 25, 1897.

If I had ample means to carry out my wish, I would originate and establish on Christmas Day a fund to be held in trust for the people of Chicago, to be used for the furtherance of JUSTICE AND NOT CHARITY in this community. Primarily that fund should be used for agitation, exploitation, and education in bringing about the abolition of the present corrupt and odious revenue system under which the poor are plundered, the middle classes treated unfairly, and the corrupt wealthy further enriched. By the use of such a fund I would publish and keep before the people constantly the real and assessed values of the property of every tax dodger in the city, and gather evidence that would land them and their crooked partners in crime, the assessors, in the penitentiary.

Energetic and persistent efforts along this line, I am convinced, would soon bring about a rational system of levying taxation under which a board of assessors, who would sit the whole year round, with their records open to the public at all times, could and would assess values honestly and impartially.

After having accomplished thus much, if aught remained of the fund, I would devote the remainder to the securing by like methods the abolition of the fee system in the justice courts of Chicago, a system which places a premium on rascality, a burden on honesty, and a damper on justice in our lower courts.

It has always been a matter of surprise to me that we have so many men acting as justices in the city of Chicago who have preserved a reputation for honesty. They are dependent upon plaintiff lawyers for a living under our present remarkable system. Is it to be wondered at that the justice court is frequently called the "plaintiff's court" or that outraged litigants define the court as one "that is supposed to dispense justice, but which really dispenses with it?"

A fund established for the purpose above indicated and adequate to accomplish such results, would, in my humble opinion, be the most substantial and salutary Christmas present that could possibly be presented to the people of this city.

WITHDRAWS FROM IROQUOIS CLUB.

LETTER TO ARTHUR J. EDDY, PRESIDENT OF THE IROQUOIS CLUB, FEBRUARY 19, 1898.

DEAR SIR: In the preamble to the declaration of principles of the Iroquois Club, subscribed to by all persons joining and remaining members of said club, I find the following language:

"Believing that the welfare of the country and the continual prosperity of its institutions require for their preservation that the policy and character of the government shall be determined and guided by the principles of the Democratic party, and, in order to add to the organized strength of the Democratic party in Chicago, we, the undersigned, have formed ourselves into a club known as the Iroquois Club."

At the time I became a member of the club, in 1893, such were its views.

At the election of officers last month you were the successful candidate. Prior to the election you, as a candidate for the Presidency, boldly and uncompromisingly repudiated the Democratic platform of 1896 and declared yourself a gold monometallist. Upon such a platform or declaration of principles you were elected.

By such action the Iroquois Club has placed itself without the pale of Democracy. If the club was simply a social organization, this would be a matter of no moment, but, as the club claims to be a Democratic organization, this action becomes a matter of serious importance to those of its members who are Democrats. I am a Democrat and a bimetallist. I cannot consistently remain a member of a socio-political club which has repudiated both Democracy and bimetallism. I cannot remain on board of the torpedo boat which, while flying the Democratic flag, opens fire upon the Democratic man-of-war.

I regret being compelled to part company with so many old friends and with associations which have been so pleasant; but, in view of the fact that the club claims to be a political organization and now holds political views antagonistic to my own and those of the Democratic party, I feel constrained to and herewith present my resignation as member. I assure you and the other members of the club of my high personal regard and esteem.

THE SERIOUS CRISIS OF THE DAY.

EXCERPTS FROM ADDRESS TO MONTICELLO CLUB, OCTOBER 2, 1898.

"We are face to face with momentous events. We have reached a crisis in municipal, State, and National history. In Chicago wholesale debauchery of the common council has been carried on so openly and brazenly and successfully that no scheme of public plunder and spoilation, no matter how rank, outrageous, and felonious it may be, can be suggested but that the people of the community at its very suggestion are filled with a well grounded apprehension that it will be consummated. The nefarious design of handing over to the street car companies of this city a franchise worth at least $50,000,000 and mortgaging the streets of this city for fifty years to a conscienceless lot of wealthy bribe-giving scoundrels was temporarily warded off only two months ago by the firmness of Mayor Harrison and a storm of public wrath and indignation which the Monticello Club was a potent factor in creating. Today the same malign influences are operating more quietly but more efficiently in Springfield.

"During the last two months the public has been sickened with the details of the corruption of our jury system by the sworn officers of the law in the temple of justice, while the corporations which have profited thereby brazenly pocket the proceeds of their infamies and laugh the people to scorn. The bailiff flees where remittances can reach him in due course, while the magnate smiles and the unfortunate victims of these infamies drag out a miserable existence of deformity and starvation.

"In the State exists a situation no less gloomy and disheartening. Within the last two years corruption has reeled in a drunken orgy through the halls of the Legislature, scattering bank notes like a wanton, among a miserable lot of conscienceless scamps who have betrayed their constituents and violated their oaths of office. The agents of wealthy corporations have secured the passage of laws that are a stench in the nostrils of the people and a wholesale plunder of their dearest rights. No scheme for further enriching the rich or robbing the poor seemed to be too scandalous for their consummation.

"From the Case garnishment bill, which allows only $8 exemption to the head of a family, to the gigantic infamies, the

gas consolidation act and the Allen bill, no measures seemed too outrageous for the last ineffaceably contemptible Legislature to enact into law. That the Legislature now sitting is not likely to leave a better record is shown by the fact that it has chosen as its speaker one of the men who at the last session voted for most of the infamous laws, and by the further fact that its sessions are steadily attended by the ill-omened birds of prey, the lobbyists who were so signally successful during the last session in disbursing their employers' money.

"The people demand a repeal of the Allen bill, the gas consolidation bill, and the warehouse bill. Will they get it? In my judgment it is more likely that they will get the Humphrey bill than the repeal of any of them. The day of King Boodle is not passed, either in Chicago or in Springfield, and will not pass until an enroused and enraged public, led on by such clubs and organizations as the Monticello Club, throttle him on his throne and hurl him forever from power in this land. But even a greater crisis than that precipitated by municipal and State corruption is before us—the crisis of the Nation.

"The rumble of the guns of Dewey's fleet is borne across the waters. It is the first broadside of the empire. The republic of Washington and Jefferson and Monroe and Lincoln never did and never would have fired a gun in such a cause as that in which Dewey is now engaged. This remained for the Republic presided over by William McKinley, whose course in this regard is dictated by one Mark Hanna and commended by one Richard Croker.

"In what cause do Dewey's cannons roar? In the cause of human disfranchisement. The Filipinos demand the right to select their own government by popular election. They have been fighting for it for years. Dewey's guns are shooting down that demand."

ON GOVERNMENT FOR THE FEW.

"The need and occasion for such a club has been long manifest. We who believe in the democratic gospel of equal rights to all and special privileges to none, who think the Government was organized and should be conducted so as to secure the greatest good to the greatest number, have noted with amazement and alarm that, for the last six years under an administration professedly democratic as well as republican, the interests and welfare of the common people were being openly violated and ruthlessly trampled on in the interest of monopoly and an overgorged plutocracy.

"We have seen the law so construed as to deprive the laboring man of the right of a trial by jury for its alleged infraction. We have seen official murder committed at the instance of capital, in Pennsylvania, declared to be no crime. We have seen the bonds of the Government sold at scandalously low prices at private sale to favored syndicates. We have seen trusts, controlling the absolute necessities of life, organized and perfected whose aggregate capital amounts to the enormous sum of $2,122,882,000. We have seen our telephones monopolized, our railroads monopolized, our sugar monopolized, also our meat, our ice, coal, salt, gas, oil, paper, leather, and even our school books, and the coffins in which we are laid away to permanent rest. In view of these circumstances it is eminently proper that we who profess to be Democrats should get together and organize clubs to resist the encroachments on the people's rights."

DENOUNCES THE ANNEXATION OF THE PHILIPPINES.

ADDRESS BEFORE IROQUOIS CLUB, 1898.

Mr. Chairman and Gentlemen:

The year 1898 has been one of the most glorious in American history. In the interest of a persecuted and ill-governed people, and in the sacred cause of humanity, we declared war upon and vanquished a not altogether unformidable foe in one of the shortest, most decisive, and brilliant campaigns in history. The fighting capacity, high intelligence, and steady courage of the American sailor and soldier have again been signally demonstrated to the world, and the heart of every American thrills with pride as he recalls their splendid achievements.

Flushed with pride and victory, we enter upon the year 1899—a year destined to be as momentous to the American Nation as 1898 was glorious. During a history of 123 years, the young and growing American Republic has engaged in no aggressive foreign wars. That of 1812 was essentially a defensive struggle, wherein the young Republic was compelled to defend the rights of her citizens upon the high seas. The Mexican War was one which arose over a dispute about boundaries in which as much could be freely urged in good faith on both sides of the controversy.

The Nation has pursued the even tenor of its way, fortunately isolated by its position from the warlike nations of the earth, with friendship for all and entangling alliances with none.

By wisely devoting ourselves to the internal development and extension of our farms, our mines, and our domestic manufactures, we have grown from a sparsely settled wilderness in 1776 into a well settled empire of unparalleled fertility and wealth, containing 75,000,000 of free people. The national confines have been steadily extended, but always by peaceable means, and as the result of bargain and sale, except in the case of the Mexican War, when the territory in dispute was by treaty declared to be American soil. As a result of the revolt of its people, spontaneously developed during the Mexican War, the California territory also became a part of the public domain, but neither in this case nor in any other where our country enlarged

its territorial jurisdiction did the people of this Republic pursue a grasping or aggressive policy. The lust of conquest and the greed of territorial acquisition had not, up to the year 1898, ranged the American Republic among the robber nations of the earth. Until the present time the American Republic has not acquired a foot of soil except by two honorable methods:

First. Free and uncoerced purchase from the owners by treaty.

Second. By consenting to the annexation of territory contiguous to the soil of the Republic, pursuant to the almost unanimous desire of the inhabitants of the territory annexed.

In considering the important events of the present time, let us not for a moment lose sight of the important fact that not one foot of American soil in the Republic, as it now exists, has been added to the thirteen original colonies and incorporated into the American Republic without either a quit-claim deed from the tribe or nation claiming to own the same, or in response to the spontaneous and almost unanimous demand of the people dwelling therein, after they had of their own accord revolted from their former rulers.

Another important fact to be borne in mind is that, with the single exception of Alaska, not a foot of soil has been annexed to the American Republic before the administration of President McKinley which was not contiguous to and from the standpoint of symmetrical geography necessary to the natural growth and development of the Nation.

The British possessions to the north, as well as the former Spanish and her Mexican possessions to the south, extended from ocean to ocean. Naturally, the young and growing Republic lying between them upon the shores of the Atlantic, and extending to the Mississippi, possessed of sufficient strength in its boyhood to force its manumitment from an unjust and tyrannical mother, must, in its growth to manhood, compressed as it was between its British and Spanish neighbors, expand westward to the Pacific and southward to the Gulf of Mexico. Pursuant to this natural trend of development, Louisiana, Florida, Texas, and California were acquired from France, Spain, and Mexico, respectively.

The acquisition of Alaska was not, it is true, necessary to the natural growth and development of the Nation, but the cession of that territory by Russia was freely and voluntarily made for a consideration satisfactory to the seller, but regarded by many Americans at the time as grossly extravagant. It must be remembered that at the time of its purchase, gold and other valuable minerals were not even suspected to exist therein; that its total

population, including Indians, was less than 30,000, while its sole industry was seal fishing. Indeed, there is good reason to believe that the purchase was brought about by a seal-fishing lobby for the purpose of securing to a syndicate a monopoly of that business.

All of the territory acquired by the United States previous to the administration of President McKinley was sparsely settled and unfit for immediate colonization by American citizens, and all of it excepting Alaska has been so colonized, and most of it is now thickly settled by our citizens.

Such being the history of our territorial acquisition in the past, we are now confronted with the proposition to annex still more territory under circumstances and conditions which every American citizen who loves his country, and is anxious for her future glory and welfare, should seriously reflect upon and consider.

In this consideration the question of partisan politics should be, and fortunately can be, wholly discarded. Neither of the great political parties of the country has as yet committed itself upon the question. Leading men in both parties have declared themselves in favor of annexation; others, equally prominent and influential in both parties, have publicly announced themselves as opposed to the scheme. The drift of sentiment among the ranks of the party in power seems to favor annexation, while the general trend of opinion among the opposition seems antagonistic thereto. There is imminent danger that the views on the subject held by the administration and the party in power will prevail, and that the treaty just negotiated at Paris will be ratified. For the honor of my country I hope this will not happen; but, if the lust of conquest and the greed of gain dethrone the national reason and sense of justice, and this treaty be ratified in the Nation's Senate, then, indeed, are there rocks ahead of the ship of state.

During 123 years of national life the honor of the American Nation has remained unsullied. I can look back over the pages of my country's history and find thereon no act of perfidy, treachery, or disgrace. Our declarations of war have been based upon justifiable grounds, our treaties have been respected, and we have kept faith with the world in all our national declarations and manifestoes.

Can we make this boast if the proposed Spanish-American treaty is ratified?

In the declaration of war against Spain we declared it to be a war of "humanity and not of conquest"—a war undertaken for the sole purpose of relieving the starved and plundered Cubans

from Spanish tyranny. Yet, within a few months afterward, when the debilitated and vanquished Spaniard is lying at our feet, we propose to take from him not only the famished child he has robbed and misused, but his watch and chain and most of his other trinkets, and offer him his car fare to get home.

What will be the verdict of history upon the conduct of the United States if this treaty be ratified?

In March, 1898, we announce to the world, that we have undertaken a war of "humanity and not of conquest." In January, 1899, we ratify a treaty procured by a brow-beating, huckstering commission, which has measured American honor with the dollar mark—a treaty which provides for the acquisition of 120,000 square miles of territory and 10,000,000 of people, without a single provision therein providing for the consent of the people involved.

What is the verdict of our contemporaries? Already the press and people of Europe deride our professions of humanity and question our political honesty and good faith. They gleefully declare, and declare with truth, that the once glorious Republic, whose Declaration of Independence recognized the right of man to political equality, and declared that all governments derive their "just powers from the consent of the governed," has descended to the level of the robber nations of Europe, whose methods of acquiring territory have been recently illustrated in the Soudan, where Maxim guns and repeating rifles were pitted against naked bodies and wooden shields, the wounded assassinated in cold blood after the battle, and the result celebrated in civilized London as a victory—and such massacres called "war."

Are we the heirs and descendants of the men who revolted against a British tyrant because he attempted to force them, in the language of the Declaration of Independence, "to relinquish the right of representation in the Legislature, a right inestimable to them and formidable to tyrants only," now to be heard to declare that we have the right to pass laws for 10,000,000 Filipinos without giving them representation in our Congress? Not a single annexationist in Congress or out of it has made a pretense of admitting that the Filipinos shall be given representation in Congress. And if the Filipinos, as now seems likely, resist the extension of our domain over their islands, shall we, who have gloried in a "government of the people, by the people, and for the people," turn the guns of Dewey's fleet upon a brave and gallant people, who for years have carried on a bloody struggle with Spain to secure the same independence that we fought for and obtained in 1776? If we do, it will be the most shameful spectacle in American history—a recantation

of the Declaration of Independence, a colossal infamy, a national crime.

Shall we repeat the history of the Roman republic or, profiting by its example, avoid its crimes and errors and escape its fate? Early in the history of Rome its people revolted against King Tarquin, as did our forefathers revolt against George III. Then followed in Rome a glorious era in which rugged virtue, sterling honesty, simplicity of life, and a love of liberty were the distinguishing characteristics of the Roman people, as they were the striking attributes of the American citizen during Revolutionary days.

Gradually wealth began to be amassed by the citizens of Rome as wealth has been rapidly accumulated in America for a quarter of a century past. Castes were created and the patrician became separated from the plebeian, the wealthy from the poor, just as the same division has taken place among us in recent times. The creditor began to oppress the debtor and the rich became richer and the poor became poorer in the second century before Christ as is the situation today in the nineteenth century after Christ.

Internecine agrarian wars broke out, caused by the hunger, misery, and distress of the common people in Rome, similar in character to our labor strikes, lockouts, and riots of recent years. In this crisis the wealthy patricians of Rome who constituted its governing class, with the double purpose of enhancing their own possessions and opportunities for public and private plunder, and of filling the empty stomachs of the starving mob and thus distracting them from the consideration of misgovernment at home, provoked and succeeded in bringing about a series of wars of conquest. City after city, province after province, and country after country were attacked, overrun, and plundered, their property confiscated and their people sold into slavery. A small portion of the proceeds was distributed among the Roman legions but the bulk of it went into the strong boxes of the proconsuls and their satellites. Tremendous armies were kept constantly in the field. The whole citizenship of Rome, from the consuls down to the camp followers of the legions, became fired with the lust of conquest and gorged with the spoils of victory. The underfed, unorganized mob became an overfed, well disciplined, and insolent army, and the end soon came. The truculent legionaries, from time to time, selected their most desperate and reckless generals and proclaimed them emperors, marched upon Rome and installed them on the throne. The republic went down in a sea of blood and rapine, and the most profligate and tyrannical empire in history was erected upon

its ruins. A Vitellius and a Nero ruled the descendants of men who had chosen a Cicero and a Lentulus as consuls.

The American Republic today has reached that point in the analogy where colossal wealth and abject penury—overgorged satiety and pinched faced hunger—exist side by side among its citizens, and foreign conquests and great standing armies are suggested by our rulers. Let us pause before we accept the suggestions, lest the future history of the American Republic be like to that of Rome. What justification can be offered for the adoption of the hitherto un-American policy of acquiring territory against the will of its inhabitants and forcing our government on an unwilling people? It is not only a reversal of the whole policy of governing people with the consent of the governed and a violation of the precedents of American history, but it violates both the letter and spirit of our Constitution.

The only provision in the Constitution of the United States which contemplates the acquisition of territory is in section 3, article 4, which declares "new states may be admitted by the Congress of this Union." It is not contended by the advocates of annexation that the Philippine Islands or Porto Rico are to be admitted now or in the remote future to statehood. This provision, therefore, is not referred to or invoked by them. But it is contended by the friends of annexation that every sovereignty has inherently the right to develop and grow, and, in the progress of that growth, to acquire territory necessary to such growth, and that this right exists in the absence of all constitutional provisions relating thereto. This much I am prepared to concede, and it may be that in the acquisition of Porto Rico, an island adjacent to our shores, it might be contended, with some appearance of candor, that we are not violating the letter and spirit of the Constitution; but when we come to consider the proposition of annexing the Philippine Islands we run counter to several provisions of the Constitution of this country.

First. The preamble of the Constitution provides: "We, the people of the United States, * * * do ordain and establish this Constitution for the United States of America." This is the opening sentence of the Constitution—and note well the words used: "For the United States of America."

The foundation stone of the whole national structure upon which the entire scheme of government was to be reared is laid for the United States of America, not for the United States of America and Polynesia, or the United States and the Islands of the Pacific, but for the United States of America.

Whatever may be said of Porto Rico, it has never been, and never will be, claimed by any honest annexationist that the Philippine Islands are in America.

Second. The same preamble declares that the Constitution is established "in order to form a more perfect union."

Will it be seriously contended that the acquisition of between 1,300 and 1,400 islands, situated in the tropic zone, over 8,000 miles away, inhabited by less than 10,000 white men and 10,000,000 Malays, Mohammedans, and Chinese, many of whom are ignorant and but semi-civilized, is conducive to a more perfect union "between the states of this Republic"? On the contrary, acquisition of such a remote territory, inhabited by such a people, must inevitably be a source of weakness and disunion. If one of the expressed objects of the Constitution is "to form a more perfect union," is it not a plain violation of both the letter and the spirit of the Constitution to introduce into the body politic such an element of weakness and disintegration?

Third. Among other objects sought to be obtained by the adoption of the Constitution, as declared in that instrument, is "to insure domestic tranquillity and to promote the general welfare."

Can you, my hearers, conceive of any scheme more likely to destroy, rather than insure, domestic tranquillity and the public welfare than to incorporate into the body of American citizenship over 10,000,000 Malays, Indians, Mohammedans, and Chinese so far distant from the seat of government—these people, too, being a race of men who, for the last thirty years, have been engaged in continuous rebellion against their Spanish rulers? If they can and have resisted so steadfastly and valiantly the foreign rule of the Spaniards, is it likely that they will tamely submit to a government in the formation of which they have no chance, even though it be American? If they have the force of character and sturdy independence of our American forefathers, they will resist American laws in the making of which they have had no part, as vigorously and as righteously as they have resisted the enforced laws of the Spaniard. All the indications at the present time point to a forcible resistance to American occupation unless their independence be recognized or their autonomy protected. Is this conducive to domestic tranquillity and the public welfare?

Bearing in view the remoteness of these islands from America, the ignorance and complexity of their population and the total dissimilarity between it and the people of the United States, both in manners, habits, intelligence, race, and religion, are we not forced to the conclusion that, in attempting to annex them, we

are violating both the letter and spirit of our Constitution which was ordained for an American people and for the more perfect union and domestic tranquillity of the American people and no other? Are we not, in attempting so to do, opening a Pandora's box from which will fly all the evils usually incident to a government forced upon an unwilling people, which is usually called tyranny?

But I desire to place my opposition to annexation on higher and broader and holier grounds than the Constitution, and that is the ground of righteousness and morality. There is and should be such a thing as righteousness and justice and morality among nations as well as among men. "Thou shalt not steal," is a commandment which should be as binding upon statesmen as upon private citizens.

The immortal words of the Declaration of Independence, "All men are created equal" and "Governments derive their just powers from the consent of the governed" are as true today as they were in 1776 and still more true. Some of the men whose names were subscribed to that glorious promulgation of the rights of man held black men at the time in bondage. Today such a thing is impossible. To attempt to govern a great body of men without consulting their wishes and permitting them to declare their election for the form and character of the government imposed upon them, according to all the teachings and traditions of American history, is tyranny and a national crime. It is opposed to the genius of American institutions and a violation of the national conscience. Never until the year 1898 has any American statesman had the temerity to suggest or justify the acquisition of foreign soil and the government of its inhabitants against their will. This idea of American statesmanship appears contemporaneously with the election of men like Mark Hanna to the Senate of the United States. A little over a year ago the President of the United States in a message to Congress said: "I speak not of forcible annexation because that is not to be thought of, and under our code of morality that would be criminal aggression."

These were the words of a true American actuated by the spirit of true Americanism, yet this same gentleman today is favoring the forcible annexation of the Philippines and Porto Rico without the consent of their people, for that is what the Spanish-American treaty provides. Now he calls it "benevolent assimilation." What would the lion have said if he had had McKinley's neat felicity of expression on the occasion of the disappearance of the lamb? Why simply that it was a case of benevolent assimilation.

Yet bending before the popular storm which he must see rising on the horizon the President hesitates and falters, and offers a palliation in the shape of a commission which is to visit the Philippines and see what the Filipinos want. Will the American people or the Filipinos be deluded or deceived by any such shifty time serving and senseless proposals? Fifty thousand Filipinos have been fighting for many years past for their complete liberty and independence. They now refuse to lay down their arms and decline to permit American soldiers to land in Iliolio or any other place where they are in control until their independence is guaranteed. Through their representative in Washington they are now in respectful language protesting against the ratification of this treaty, and reminding us of the principles enunciated in our own Declaration of Independence. Yet in the face of all these facts, the President would have five estimable gentlemen sail over to Manila and sail back again and report to the American Nation what the Filipinos want. Is the proposal not farcical, if honest, and if made with ulterior motives, is it not shameful?

If the American people would preserve intact the glorious principles of the Declaration of Independence, maintain the integrity of the Constitution in both letter and spirit, live up to the noble precedents of its past history, preserve the self respect of the American people, and uphold the national faith and honor throughout the world it will repudiate the annexation terms of this treaty in the Senate, reassemble its commissioners and instruct them to demand the complete independence of the Philippines, Porto Rico, and Cuba, exacting from them as the price of their independence the cost of the war. Then indeed will it have been a war of humanity and not of conquest, a war of right against might, of righteousness against evil.

But if the Senate of the United States should besmirch the national honor and lower the standard of American manhood by ratifying this treaty, then naught remains for the American people but to demand and secure at the polls the independence of the Philippines and Porto Rico or prepare for an era of military supremacy and imperialism toward which we are but too surely drifting. Let us consider what the retention of the Philippines means. Many of these islands are mere rocks in the ocean, but some of them will be as dangerous to our navy as are the financial and political rocks ahead of our ship of state as it sails through the dangerous waters of colonial imperialism. It means first an increase of our standing army, the cost of which has been estimated to be from $125,000,000 to $150,000,000 per year. This capitalized at three per cent means an indebtedness of five billion dollars.

Second. An increased navy and costs of fortifications of from $150,000,000 to $200,000,000 per annum or equivalent to interest at three per cent on at least five billion more.

Third. A tremendously increased pension roll, the limits to which cannot be defined. In tropical climates white men can live in health and vigor but for a few years, and our garrisons would be constantly depleted by disease and death, thus entailing liabilities of frightful proportions.

Fourth. Increased liability to embroilment in foreign wars.

The first three items of expense, just enumerated, must be borne even in time of peace, but situated as are the Philippine Islands, not far from Chinese, Japanese, Indian, French, English, German, and Russian ports and territories, we, as their possessors, will be in constant danger of entanglement with one or more of these powers. At the present time, when every nation in Europe as well as Japan, is hungrily contemplating the partition of China, the chances of the ruler of the Philippines being dragged into the inevitable struggle are exceedingly likely, particularly if it be a nation having a respectable navy. Already our hereditary enemy of over a century, against whom we rebelled in 1776, who tried to crush us in 1812, and who again during the War of the Rebellion gave her money and sympathy to the South, and fitted out the privateers that drove our commerce from the seas, discovering that we have a navy that is formidable, has given evidence of a change of heart and calls us his "Anglo-Saxon cousins." Let us remind him that his protestations of regard are a little too late; that Europe, not England, is the mother country of America; that we need no alliances and can stand alone. And yet the press of this country is filled with a lot of silly twaddle about an Anglo-American alliance. The good sense of the American people will never tolerate such an unnatural and dangerous connection.

The United States, outside of the weak and debilitated kingdom she has vanquished, has not an enemy in the world. England, on the contrary, has not a friend in the world. The Russian pickets, with loaded guns, are hovering upon the borders of her empire in India and Afghanistan, and Russian diplomacy has outmaneuvered her in China. 'Tis but yesterday that war between England and France over the Fashona incident was obviated only by the most skillful diplomacy, without, however, allaying the bitter feelings aroused thereby in the minds of the people of both countries. Hostility to the British still rankles in the hearts of the Boers, and the German Emperor still approvingly pats the Boer on the back and encourages his resistance to English aggression. The colonization schemes of England,

France, Germany, and Portugal in Africa are gradually, but surely, coming to a point where open war must soon take the place of secret aggression and intrigue. A chance spark will explode the mine.

The United States is separated by the ocean from all these warlike and aggressive nations, and has dwelt for over half a century in peace and harmony with her neighbors to the north and south, and has no bone of contention with, jealousy of, or hatred for any nation on earth. On the contrary, the British empire, owing to its rapacity in the past and the almost world-wide possession of colonies in the present, is always in the position of treading upon some other nation's corns. She is always at war and generally with uncivilized or half civilized and ill-armed peoples, and always will be at war so long as she pursues her present and past history of spoilation and conquest. Is Brother Jonathan, who for over fifty years has lived in peace and harmony with the whole world, prepared to link arms with and take up the quarrels of John Bull, who, as he has walked down the thoroughfare of the nations, has thumped a man or cuffed a boy at every street corner and robbed them both, and now shows the same bullying disposition, or will he attend to his own affairs, leaving John Bull to fight out his own destiny? What possible object can be obtained by such an alliance? Is there anything that this Nation wants that she cannot herself obtain without the assistance of England or any other nation? I know of none. That the alliance would be of much value to England all will concede. It will enable her to retain her present supremacy at sea, to hold the lands she has conquered and plundered, and possibly to conquer and plunder others. But to use a colloquialism, "Where does the Yankee come in?" He is proverbially shrewd at bargains. The alliance would be at the expense of American money, blood, and reputation. What does he get in return? The Anglomaniacs who have been stuffing our papers have failed to point out a single item of compensation that would result to the United States from such a connection, and until they can an Anglo-American alliance should not, and will not, be seriously entertained by the American people. Even Andrew Carnegie, whose love for England is so strong that he flies the Union Jack sewed to the American flag over his home, sees the rank unfairness of such an alliance, and declares in an article published this month in the North American Review, "The Republic shall remain the friend of all nations and the ally of none; that being free today of all foreign entanglements she shall not undertake to support Britain, who has these to deal with."

Bishop Potter has stated that such an alliance would make this country the "catspaw of Britain." The only possible contingency under which such a proposition as an alliance with Great Britain could be considered would be the abandonment of the republican form of government and the establishment in its place of a great colonizing empire, in the establishment of which both a great standing army and a tremendous navy, as well as an alliance for the time being with some other great power, is essential.

I sincerely believe that men of the Mark Hanna and Boss Croker stamp are prepared for and would welcome such a change. There are many indications of such designs. They have untold wealth at their disposal. They have fostered and brought about the concentration of most of the important manufactures of the country into gigantic trusts and monopolies. They have succeeded in controlling the output and fixing the price in the United States of most of the necessaries of life, of our coal, our iron, our oil, our gas, our railroads, our street cars, our salt, our sugar, our flour, our rubber, our delft-ware, our tin, our tobacco, our snuff, our fish, our brooms, our print goods, our thread, our buttons, our milk, our cotton goods, our beef, our pork, our glass, our leather, our lumber, our paper, our soap, aye, even our children's school books, and the coffins in which we must be buried, and yet not satisfied with their undisputed industrial and financial dominion at home they are now, like Alexander, sighing for new worlds to conquer.

In the introduction into foreign lands of their schemes for adding to their ill-gotten wealth, they are likely to run counter to laws and institutions, in the establishment of which they have taken no part. New lobbies would have to be organized to shape and modify these laws and institutions so that special privileges —the trust and monopoly—may work their wills. Existing executives might have to be persuaded, cajoled, intimidated, or dethroned. The judicial tribunals of the country might have to be enlightened, reconstituted, or reformed. All this costs money. What's so cheap and easy as to grab a great territory and a few million of human beings by treaty, and through the same instrumentalities and officials that have permitted them to obtain uncontrolled industrial supremacy in the United States, pass a few laws in Washington that are satisfactory to them, without consulting the wishes or interests of the millions annexed, and then send a few satraps or proconsuls to the annexed territory, with a large standing army and a powerful navy at the expense of this Nation, and compel the millions annexed to submit to these enforced laws?

This is the real scheme of the powerful interests advocating expansion and imperialism at Washington, and this is the greatest danger this Republic has ever been brought to face. Behind the seeming lust of empire and annexation, which in reality does not exist in the Nation, is the real lust of wealth which does exist among the powerful monopolists of America who, unfortunately, control the administration and shape the legislation of the country. No American citizen dreamed of the annexation of an unwilling people six months ago. No statesman who valued his future would have dared to suggest it. When President McKinley, a year ago, declared in his message to Congress that "forcible annexation—under our code of morality—would be criminal aggression," he spoke the then true sentiment of William McKinley and of the entire American citizenship. When he now speaks of the "benevolent assimilation" of the Philippines he speaks the sentiments of Mark Hanna, of Boss Croker, of Rockefeller, of Havemeyer, of Morgan, of the Standard Oil company, of the New York Stock Exchange, and of all the violators of our laws against trusts and monopolies, but not the sentiment of the American people.

The serious, solemn question presented to us and every American citizen is: Shall the views and aims of the trusts, monopolies, and dangerously wealthy and corrupt men of the country, of whom Hanna and Croker are fair representatives on each side of the political fence, prevail, or shall the common citizenship of the Republic, Democratic, Republican, Populistic, alike, assert its intelligence and love of republican government, drive the money changer from the temple of liberty and reassert to the people of the world at large, and the Philippines in particular, that this is a government "of the people, by the people, for the people," and that no government is just, or has the right to exist, that does not exist with the full consent of the governed?

Great social and economic questions have been confronting us in recent years. Inequality and injustice of taxation are probably the most important. You, the members of this organization, believe you have found the true solution of the problem and a certain cure for the evil. Municipal and national ownership of the means of transportation and communication is also a question of the greatest public importance, and I, for one, believe the legislation could and should be passed that would secure the same. Other important social and economic questions are ripe for discussion, but in my judgment all of these matters, are, at the present time, secondary in importance to the all-absorbing question as to whether the Republic shall live. If imperialism prevails

the Republic dies. If the Republic dies the single tax, municipal ownership, state socialism, and all other agitated reforms sink together into the dust. Citizenship and the suffrage will disappear, and in the end the moneyed oligarchy, paraphrasing the declaration of the French autocrat to his courtiers, will say to the people of America, "The State! We are the State!"

Ex-Governor Altgeld has recently declared that since the promulgation of the Declaration of Independence over 250 constitutions that were republican in form have been adopted. Most of them have perished. Is this to be the fate of our glorious Republic? Not if the American people are true to the traditions of the past and alive to the perils of the present. Not if the wise and patriotic admonitions of Washington are remembered. Not if the spirits of Jefferson and Jackson hover over the Republic. Not while the Declaration of Independence remains the gospel of American liberty. But, if forgetting or repudiating all these, the American people, like the Romans, abandon the Republic for an empire, who can safely predict that the American empire will have a different end from that of Rome?

VIEWS ON SPANISH-AMERICAN TREATY.

EXCERPTS FROM ADDRESS TO SINGLE TAX CLUB, JANUARY 28, 1899.

"In no case where our country enlarged its territorial jurisdiction did the people of the republic pursue a grasping or aggressive policy. The lust of conquest and the greed of territorial acquisitions had not, up to the year 1898, ranged the American Republic among the robber nations of the earth.

"Until the present time the American Republic has not acquired a foot of soil except by two honorable methods:

"First. Free and uncoerced purchase from the owners by treaty.

"Second. By consenting to the annexation of territory contiguous to the soil of the Republic, pursuant to the almost unanimous desire of the inhabitants of the territory annexed.

"What will be the verdict of history upon the conduct of the United States if the Paris treaty be ratified? In March, 1898, we announce to the world that we have undertaken a war of 'humanity and not of conquest.'

"Are we the heirs and descendants of the men who revolted against a British tyrant because he attempted to force them, in the language of the Declaration of Independence, 'To relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only,' now to be heard to declare that we have the right to pass laws for 10,000,000 Filipinos without giving them representation in our Congress? Not a single annexationist in Congress or out of it has made a pretense of admitting that the Filipinos shall be given representation in Congress.

"And if the Filipinos, as now seems likely, resist the extension of our dominion over their islands, shall we, who have gloried in a 'government of the people, by the people, for the people,' turn the guns of Dewey's fleet upon a brave and gallant people who for years have carried on a bloody struggle with Spain to secure the same independence that we fought for and obtained in 1776? If we do it will be the most shameful spectacle in American history, a recantation of the Declaration of Independence, a colossal infamy, a national crime.

"If the Senate of the United States should besmirch the national honor and lower the standard of American manhood by ratifying the treaty, then naught remains for the American people but to demand and secure at the polls the independence of the Philippines and Porto Rico, or prepare for an era of military supremacy and imperialism toward which we are but too surely drifting. Let us consider what the retention of the Philippines means. Many of their islands are mere rocks in the ocean, but none of them will be as dangerous to our navy as are the financial and political rocks ahead of our ship of state as it sails through the dangerous waters of colonial imperialism.

"It means, first; an increase of our standing army, the cost of which has been estimated to be from $125,000,000 to $150,000,000 a year. This, capitalized at three per cent, means an indebtedness of $5,000,000,000.

"Second. An increased navy and cost of fortifications of from $150,000,000 to $200,000,000 per annum, or equivalent to interest at three per cent or at least $5,000,000,000 more.

"Third. A tremendously increased pension roll, the limits of which can not be defined. In tropical climates white men can live in health and vigor but a few years and our garrison would constantly be depleted by disease and death.

"The immortal words of the Declaration of Independence, 'All men are created equal' and 'governments derive their just powers from the consent of the governed' are as true today as they were in 1776 and still more true. Some of the men whose names were subscribed to that glorious promulgation of the rights of man held black men at the time in bondage. Today such a thing is impossible.

" To attempt to govern a great body of men without consulting their wishes and permitting them to declare their election for the form and character of the government imposed upon them, according to the teachings and traditions of American history, is tyranny and a national crime. It is opposed to the genius of American institutions and a violation of the national conscience."

THE MANCHESTER MARTYRS.

ADDRESS BY JUDGE DUNNE, NOVEMBER 25, 1899.

Mr. Chairman and Gentlemen:

"Crowns of roses fade; crowns of thorns endure; Calvaries and crucifixions take deepest hold of humanity; the triumphs of might are transient, they pass and are forgotten; the sufferings of right are graven deepest on the chronicle of nations."—Words taken from an author to me unknown.

Thirty-two years ago, in the city of Manchester, three humble Irishmen gave up their lives upon an English scaffold as an expiation of Irish resistance to English rule.

From that down to the present, a lapse of nearly a third of a century, the tragic fate of these men has been annually commemorated in every part of the civilized or uncivilized earth into which English misgovernment has driven the Irish race.

In the stately capitol of Ireland, with the shadow of Dublin castle, in rebel Cork, in ancient Galway, in prosperous Belfast, in the Australian bush, among the Canadian forests, in the mining camps of the Rockies and South Africa, in the great cities of America, aye, in the English metropolis itself, Manchester Martyrs day has been, is, and will be commemorated as long as the spirit of Irish nationality continues to live.

What is the reason for keeping alive the memory of this tragic event?

These men were not great in camp, in court, or in the field. They were neither statesmen, warriors, poets, or philosophers. They had not the glory of "dying on the battlefield, their broken spears beside." They fell not at the head of charging batallions, nor dearly sold their lives to cover their beaten but unconquered comrades in retreat. The honor of a soldier's death was not theirs.

Amidst the gloom of a November day their lives were strangled out of them by an English hangman, surrounded by all the ignominies and humiliations of an English execution. None the less, they died the deaths of heroes and earned for themselves the right to be numbered in the long and bloody list of Irish martyrology.

It fell to their lot to take their part in the struggle of the Irish race for Irish nationhood, a struggle which has been handed down from sire to son through twenty-eight generations and, looking full in the face of death, they played their part like gallant men.

In the supreme moment of their taking off, like the obscure French Captain Cambronne on the field of Waterloo, they hurled contempt and defiance into the teeth of their country's triumphant enemies.

The Irish race commemorates their tragic death, because by it they proved to the world that the spirit of Irish nationality is not dead nor yet sleeping, that despite Papal bulls and Episcopal fulminations, penal laws and coercion acts, wars, massacres and governmentally created famines, oppression and corruption from without, and dissention and faction within, the gibbet, the pitch-cap, the convict hulk, and the famine ship, the militant spirit and ardent aspirations of the Irish race for nationhood have neither been smothered to death nor beaten into insensibility.

The Irish people through the world revere and honor these men because, in dying upon the scaffold in the cause of their country's enfranchisement, they have placed themselves in the exalted company of Shaun O'Neill and Tone and Shears, and Orr and Robert Emmet, and that countless list of gallant men whose flowing blood has made the English scaffold an Irish altar of adoration.

The celebration of this anniversary at the present time is of peculiar significance.

If the story of the lives and deaths of these men reveals anything it is that no race of people is great enough or good enough, or strong enough, to force its rule upon another high-spirited and unwilling people.

It is over seven hundred years since the English, under warrant of Pope Adrian's bull, assumed control of Ireland. Within these seven centuries there surely has been ample opportunity for "benevolent assimilation."

Yet within these seven centuries there has never been a day when the great body of the Irish people were not disloyal to the English government and eagerly awaiting an opportunity for successful revolt. During the last century there have been four open insurrections, or more than in any previous century, and British rule has been maintained during the nineteenth century only by suspending the habeas corpus act, that palladium of English liberty, for twenty years, and by enforcing upon the Irish people for forty-five other years the most drastic and tyrannical

coercion acts. In other words, English dominion has been preserved in Ireland during the last century only by denying to the Irish people for sixty-five years of that time the right to live as English, Scotch, and Welshmen did during that same period. And this was accomplished by the use of a standing army of from thirty to sixty thousand men. Imagine the State of Illinois keeping from thirty to sixty thousand militia constantly under arms and mobilized ready for action, with laws in force making it a penal offense for any citizen to have a revolver or a shotgun upon his person or premises, with the writ of habeas corpus from time to time suspended, and the right of the soldiery to search a man's house at any time of the day or night, and you can understand the condition of Ireland for the last one hundred years. What it was before this century is beyond the reach of ordinary language.

A reading of the English penal laws in force in the eighteenth century makes the blood run cold.

The condition of Ireland during the last century is a fair sample of the success of attempting to govern an intelligent, high-spirited people without the "consent of the governed."

Yet, notwithstanding its experience with the Irish people, the British empire is again endeavoring to repeat history in the Transvaal.

Here they have found a sturdy race of high-spirited, God-fearing, law-abiding and law-enforcing Dutchmen in possession of a country rich in soil and mineral resources. These men, driven from British possessions, after years of conflict with wild beasts and savage men, have conquered the wilderness, established homes, and founded a republic. Suddenly gold and diamond mines of enormous richness are discovered, and British subjects are attracted thereby from the adjoining British colonies. The value of these mines is reported in Downing Street, and that august and conscienceless council of national land-grabbers, called the British cabinet, resolves to "benevolently assimilate" the Dutch republic. A fight with the republic must be provoked. A willing tool is at hand. Gladstone, the greatest and grandest Englishman who ever lived, had concluded an honorable treaty with the Transvaal republic, in which the independence had been guaranteed. Joseph Chamberlain, surnamed Judas, because of his ingratitude toward and betrayal of Gladstone, is a member of the British cabinet as a reward for his treachery. To him is committed the task of diplomatic highway robbery.

A number of English gold seekers and fortune hunters in the race for wealth had entered the Transvaal and were working the mines and the Boers for all there was in it.

These men, under the leadership of Cecil Rhodes and Dr. Jameson, had endeavored to raise an insurrection and steal both the mines and the country only a few months ago, and as a result were thoroughly thrashed by the Boers. The Transvaal republic, like our own country and most other governments, had enacted naturalization laws, requiring that all foreigners should reside within the Transvaal a certain period before they could become citizens of the republic. These naturalization laws were seized upon by the wily Chamberlain as a pretext for diplomatic interference.

Through diplomatic channels he complained that the naturalization laws were unreasonable in requiring too long a residence in the Transvaal by Englishmen before they could become citizens of the Dutch republic. Just think of the sincerity of this complaint. An English cabinet minister complaining to a foreign government that its laws were unnecessarily stringent in preventing a British subject from renouncing allegiance to the British sovereign and becoming a loyal citizen of a foreign country!

A rogue as well as a liar must needs to have a long memory to avoid exposure. Chamberlain is a diplomatic rogue and has not a long memory. If he did he would have remembered that before and during the war of Great Britain against the United States, in 1812, the British Government insisted upon the right to impress and take from American vessels naturalized American citizens, on the ground that "once a British subject a man continued to be always a British subject." So tenacious of this claim has been Great Britain that in the treaty of 1815 she refused to recede from her position in this regard, and the treaty is silent upon the subject.

Both the nation and its subjects, if we except the rebellious Irish, we all know in this country, are loath to admit that once a British subject should ever become the citizen of a foreign country, and yet the Pecksniffian statesman Chamberlain uses the restraint placed upon the renunciation of British citizenship by the Boer republic as a pretext for war. The impudence of this claim equals its sincerity. What right has one country to be heard upon the qualification of citizens of another? By international law, in the absence of treaty, one country has the right to exclude foreigners absolutely from its territory. To admit to citizenship upon any condition is a matter of favor. We exclude Chinese absolutely and admit Europeans only upon five years' residence. What would be thought of Mr. Chamberlain's contention if he attempted to interfere in America in the inter-

est of English subjects resident therein, and complain of the unreasonableness of its naturalization laws?

But the insincerity and impudence of this pretext was exposed by Oom Paul, when he offered to appoint a joint commission to consider the reduction of the term for naturalization, provided the British government would agree not to use the matter as a pretext for future interference and ratify a former treaty in which the complete independence of the Transvaal was recognized. We are all familiar with the shifting negotiations of Chamberlain, during which he craftily prolonged the interchange of diplomatic notes while he was steadily transporting British troops to South Africa, and getting his heavy artillery ready to pulverize the young republic. And we also know that the honest old Dutchman, Oom Paul, called time on British trickery and declared that unless all preparations for war by the British government ceased within forty-eight hours he would declare war. And declare war he did, to his eternal honor and the honor of the South African republics. What has transpired within the last three months is the most unprincipled, dishonest, and disgraceful act in Britain's shameful history of rapine and robbery. It is a plain, indecently disguised attempt at national highway robbery. In the struggle now going on in South Africa, it is my hope, as I believe it is the hope of nine-tenths of the American people, that right and justice will prevail and that these gallant Dutchmen will prove to the world that Great Britain has at last over-reached herself.

For the first time in eighty years the British troops, without allies, are facing white men with arms in their hands and their homes and firesides behind them.

They are not now fighting with famine-stricken Irishmen, armed with pike and scythes; nor half-naked dervishes, equipped with bows and arrows; nor Zulus, armed with assegais; nor Abyssinians carrying spears, but with men having modern firearms, and the ability and courage to use them. May the God of righteousness give strength to their arms, courage to their hearts, and accuracy to their aim.

TO A REUNITED DEMOCRACY.

ADDRESS TO IROQUOIS CLUB, 1899.

Mr. Chairman and Gentlemen:

In behalf of the Iroquois Club and of the reunited democracy which it typifies and represents, I bid you welcome to this feast. Once again after the lapse of four years we who called ourselves "Democrats and National Democrats" in 1896 are today content with and proud of the unhyphenated title of "Democrat." Four years ago we divided upon a single issue and made possible the election of a Republican President. Who of us does not regret it? The money issue was then the paramount one before the people and unfortunately we could not agree thereon. It is still an issue, but not the only one.

The Spanish-American War and the prostitution thereof by the present administration to ignoble ends has hurled a new issue into the arena of American politics. The wold bull of imperialism with the Republic upon his horns is facing the Ursus of democracy. At such a juncture, when the Republic is in peril, all men who believe in the doctrines of the immortal Declaration of Independence and the principles of Jeffersonian democracy must and will sink all minor differences and unite for her defense. The Republic, founded by our forefathers upon the principles laid down in the Declaration of Independence, must and shall be preserved in its pristine purity.

What is the condition of affairs under President McKinley? Under his guidance, or rather that of Mark Hanna, we declare a war for humanity and make it a war of conquest. We help to arm the Filipinos and fight alongside of them as their allies and, having with their assistance subjugated the Spaniards, we basely betray them, turn our guns upon them and treat them as our slaves. We solemnly promise independence to the Cubans, yet, although it is eighteen months after the cessation of hostilities, we still hold a military occupation of the island. We solemnly proclaim to the Porto Ricans our intentions to make them an integral part of the Republic and are now enacting laws which make them men without a country. We have within two years quadrupled our standing Army, although our administration declares we are at peace, and use it as special police against the laboring men in all conflicts be-

tween labor and capital. We are endeavoring to jam through the Senate a treaty with the most powerful naval power in the world, which deprives us of the power to fortify the proposed Nicaraguan canal, which Blaine declared to be practically an American coast line, and which gives to that great power equal access to this canal with ourselves; we have cast to the winds the most hallowed and distinctively American dogma, the Monroe doctrine, and to crown our blunders and mistakes, according to the assertions of Joseph Chamberlain, a member of the British cabinet, who ought to know, have entered into a secret understanding with the British empire while it is attempting to despoil and destroy the gallant Dutch republic in South Africa.

From the Republic of Jefferson to the what is it of McKinley, how has the mighty fallen?

DENOUNCES ENGLAND IN THE TRANSVAAL.

ADDRESS ON BEHALF OF THE BOERS, JANUARY 5, 1900.

Mr. Chairman, Ladies and Gentlemen:

I would that I were possessed of the eloquence of your distinguished chairman, or of the powerful command of language and versatility of expression for which the gentlemen who follow me are noted. For, to adequately describe the conduct of the British government in the war now being conducted in South Africa, and the diplomatic negotiations which preceded it, would require a tongue of fire and words that blaze and burn. I am not so gifted, and it is not my intention tonight to appeal to your passions or arouse your enthusiasm. I shall content myself with a plain, and I hope, truthful, presentation to you of the issues involved in this controversy, and then appeal to you to decide what you and I, and the American citizens in this country, should do under the circumstances presented.

What is the situation presented to us in South Africa? On the one hand two weak, struggling republics, one of them not twenty years of age, and the other scarcely fifty, containing a population not to exceed one and one-quarter million of souls, black, white, brown, and yellow included. Out of this population not over one-third are white, and, assuming that one-sixth of them are able-bodied men between the ages of eighteen and sixty, they cannot place in the field an army to exceed 70,000 men.

These young republics, with this small population, are battling for their independence and national existence; they are fighting for the preservation of their homes and firesides.

On the other side is the greatest empire now on the face of the earth, which boasts that the sun never sets upon its dominion and that its drum-beat is heard around the world, which numbers among its citizens and subjects 350,000,000 souls. This great empire has entered upon this war for the purpose of extinguishing the national existence of these republics and to add their territory to its already dangerously expanded domain. Irrespective of the merits or demerits of the controversy, the ordinarily constituted man would naturally sympathize with the weaker side. If we met a man upon the street cuffing and bullying a boy our sympathy

would naturally go out to the boy. If upon investigation we discovered that the man was the boy's parent and that the boy is recalcitrant and incorrigible, we might moderate our views as to the justice of the punishment. But if, on the other hand, we discover that the man is not the boy's parent but a bully and a robber who is seeking to take from the boy what is rightfully his, our sympathy would blaze into indignation.

Such is the situation in the Transvaal. Not only are the South African republics weak in comparison with the great British empire, but they have justice, morality, and equity on their side. Never since the day when Leonidas, with his 300 Spartan and 4,000 weak-kneed allies, faced 3,000,000 Persian soldiers, under the command of the Persian king, in the pass of Thermopylae, has the world ever witnessed such a sublime spectacle of heroism as that presented by the South African republics in their resistance to British aggression.

A man or nation who accepts the gauge of battle at odds of 300 to 1 must be inspired by a resolution born of despair or inspired by God.

A plain and truthful statement of the causes leading up to this war is absolutely necessary at this time, for the reason that the Boers, not having the ear of the American public and not being possessed of the English language, have not been able to present their case as it should be for a fair decision by the American people.

The British empire possesses three great instruments for the extension of its power and the acquisition of territory. First, its tremendous navy, exceeding that of any two nations; second, a powerful army large enough to adequately police the plundered nations she has reduced to subjection and still leave sufficient to enable her to carry out her future schemes of robbery; and third, and more powerful than either, her press and literature. She has extended her language outside of the United Kingdom to nearly the whole of North America, all of Australia, a great portion of India and Africa and her other colonies throughout the world. Her writers and historians are the ablest in the world, and through this powerful instrumentality she has been able, and is now able, to present her side of the case in its most favorable aspect. By some of her writers it is presented dishonestly; by others adroitly; but by all of them it is presented to the people of the world in its most favorable guise. There is need, then, of a truthful statement of the cause leading up to the present war.

By the treaty concluded between the Transvaal and the British empire in 1881 the Boers were accorded a modified or restricted autonomy. For years prior to that they had been subject to British

dominion, but having thrashed the British troops at Majuba Hill, they demanded and were accorded a nominal degree of independence as a nation. This independence was, however, limited in certain important particulars. In the first place, under the language of the treaty, the Transvaal territory was guaranteed free self-government under the suzerainty of her majesty; secondly, her majesty reserved the right to appoint a British resident in and for the Transvaal state; thirdly, the British government reserved the right to move troops through the Transvaal states in time of war, or in case of apprehension of immediate war between Great Britain and any foreign state or tribe in South Africa; fourthly, the control of the external relations of the Transvaal states, including the conclusion of treaties, the conducting of diplomatic intercourse with foreign powers, were to be carried on through her majesty's diplomatic consular officers; fifthly, it was provided in the treaty that no future laws, affecting the interest of the natives in said territory, should have any force or effect without the consent of her majesty; and sixthly, that all disputes between the Transvaal states and the natives of South Africa, not residing in the Transvaal, were to be decided by the British resident as arbitrator. There were other restrictions in the treaty limiting the independence of the Transvaal as to foreign powers.

Under the terms of this treaty the government of the Transvaal republics was conducted for four years, but constant friction arose between that state and the British suzerain and in 1884 Gladstone, then premier of England, entered into negotiations with the commissioners appointed by the Transvaal and concluded a treaty that year which was honorable alike to the British nation and the young republic, and which clothed the name of Gladstone with imperishable honor as a just and enlightened statesman.

By this treaty all the restrictions of the treaty of 1881 were removed, the title of suzerain on the part of Great Britain was surrendered, and the Transvaal was recognized as an independent nation under the name of the South African Republic, the only rights reserved by the British empire being that contained in article four, which provides that "The South African Republic will conclude no treaty or engagement with any state or nation other than the Orange Free State, or with any tribe, until the same has been approved by her majesty." This is the only provision in the treaty of 1886 which gives the British government the right to interfere in either private or foreign concerns of the South African Republic.

This treaty having been solemnly ratified by both parties was respected by both without protest or objection until the year 1899.

In the meantime gold in enormous quantities had been discovered, in the year 1886, in the Transvaal, and later developments have tended to prove that the yield is almost inexhaustible. Thousands of British subjects immigrated to the Transvaal and by working the mines have become enormously rich. It has been stated that nine-tenths of the output of the mines of the Rand have gone into the pockets of British subjects. Not content with the laws enacted by the Transvaal republic, so generous as to permit of the acquisition of this enormous wealth, English filibusterers cast covetous eyes upon the whole country, and in the year 1896 a lot of English freebooters, under the leadership of Cecil Rhodes and Dr. Jameson, organized a filibustering expedition and attempted to seize the country by force. The sturdy burghers suppressed the effort quickly and foolishly handed over its ringleaders to be dealt with according to the terms of British law. Those men were plainly guilty of high treason to the Boer republic and could have been, according to the law of nations, punished with death in the Transvaal. The English government went through the farce of a trial and gave them a few days' imprisonment. Since that time the whole force of British intrigue and diplomacy has been directed toward provoking a quarrel with the young republic, with the ultimate object of overwhelming it in battle and appropriating its territory.

Cecil Rhodes placed before that august body of national land-grabbers, known as the British cabinet, a truthful story of the wealth of the gold mines in the Transvaal and that cabinet determined that the English nation should soon possess them. They chose as their instrument of intrigue that tricky politician, the colonial secretary, Chamberlain, surnamed Judas, because of his disloyalty to his great chief, Gladstone. As a reward for his trickery he occupies a seat in the British Cabinet. He was a fit and willing tool for the dishonest enterprise. Not being able to discover anything in the terms of the treaty which he could seize upon as a pretext, he placed before the President of the Transvaal as a casus belli the alleged unreasonable laws of the Transvaal relating to the naturalization of foreign subjects. Think of the justice and sincerity of this claim. He complained that the laws of the republic were unduly onerous in the matter of preventing a British subject from foreswearing allegiance to this sovereign. If there is a country on earth that has gone to extremes in denying the rights to its subjects to expatriate themselves it is the British government.

The war of 1812 between Great Britain and the United States arose out of the claim by the British government that "once a British subject a man remains always a British subject." This double-dealing government at that time violently boarded American

vessels on the high seas and impressed American seamen, who had once been British subjects, claiming the right so to do by reason of the fact that under British law a British subject could not expatriate himself. In the peace which was concluded after that war between Great Britain and America the British government refused to abandon this claim. It now, for the purpose of provoking a quarrel with the South African Republic, insists, through the wily and maladroit Chamberlain, that a law of the Transvaal Republic which makes it difficult for a British subject to become a citizen of the Transvaal Republic is unjust and unfair. Aside from this insincerity the claim can have no standing in international law. Any free and independent nation has the right to prescribe its terms of naturalization or to absolutely prohibit it under any terms. No foreigner can become a citizen of the British empire without the consent of its home secretary. William Waldorf Astor had to obtain that consent before he could become a British subject. The United States absolutely prohibits the Chinese not only from becoming citizens but from entering into the country, and has always prescribed a certain degree of residence in this country before a citizen of any foreign country can become a citizen of this Republic. All independent nations have enacted laws with reference to the naturalization of foreigners and they change them at will, but no country, up to 1899, has ever had the temerity to complain of the unreasonableness of any such laws. What would be the answer of the United States if Great Britain complained tomorrow of the unreasonableness of its naturalization laws? The whole affair is a flimsy pretext seized upon by Chamberlain, in the absence of any real complaint, for the purpose of provoking war with the Boers. He has bullied not wisely but too well. During the whole period of the negotiations the British government was transporting its troops and its heavy artillery to Cape Town for the purpose of squelching the Boers when everything was in readiness. But that sturdy old Dutchman, Oom Paul, exposed their trickery when he offered to submit the whole matter to arbitration, provided the British government would not use the matter as a precedent for future complaints and would recognize in plain, unequivocal terms the complete independence of the Transvaal republic.

When Chamberlain refused to enter into any such arrangement he called "time' on English trickery, and to his eternal honor and the honor of the South African Republic, he declared war. There is neither reason, justice, or even ill-disguised decency in the position taken by the British government in this controversy. It is a plain case of unmitigated and unvarnished national highway robbery.

What is the duty of the American citizen under this situation of affairs? It has been pointed out to us by the subjects of Great Britain and their sympathizers in this country. The expatriated American, William Waldorf Astor, has subscribed 5,000 pounds for the furnishing of a British troop. He is evidently aiming at a peerage. In his magazine he has been recently endeavoring to trace connection between the honorable house of Astor and the Duke of Astorias. Why go to so much trouble? If he succeeds in obtaining a peerage we can remind him of the origin of his house. His great great-grandfather laid the foundation of the Astor fortune in pelts. Upon obtaining his peerage we suggest that he select the name of Lord Cashdown or Baron Coughup, that his coat of arms be a skunk skin rampant, and his motto "*cauda cum tegumento*"—the tail goes with the hide. Lady Churchill, another expatriated American, has raised a hospital corps for the relief of the British wounded, a most commendable cause, but in so doing she has ill christened an English vessel flying the Stars and Stripes, with the name of the ill-fated Maine. How the spirits of the Kellys, the Murphys, and the Sheas, who went down to a watery death in the harbor of Havana, must have groaned in anguish when they heard this news. Unexpatriated British citizens in the city of Chicago have been collecting upon the Board of Trade and in the banks of this city funds for like purposes. They have set for you and other American citizens who sympathize with the young republics—and they are nine-tenths of the citizens of this Republic—an example. Let us contribute to furnish hospital supplies to the sick and wounded Boers. Subscribe for that cause in the name of justice, in the name of humanity, in the name of right, in the name of republican principles, and as a protest against British piracy and British plunder.

In the meantime let us watch the negotiations and *pour parlers* passing between London and Washington. We cannot hope for intervention, in the interest of the Boers, while President McKinley is in the White House, but we can have our representatives in Congress demand that all state papers passing between London and Washington shall be submitted to the inspection of the American people. If it is true, as I hope it is not, that the American vessel Montgomery has been acting the part of look-out on the African coast while the British burglar is attempting to despoil the South African republic, there will be a day of reckoning with the American people. In the meantime subscribe. Communicate with your representatives in Congress and further in every lawful manner the just and righteous position of the Boers and while the fight progresses may the God of justice give courage to the hearts of the Boers, strength to their arms, accuracy to their aim, and success to their just and holy cause.

APPEAL ON BEHALF OF THE BOERS.

JUDGE DUNNE'S SPEECH AT AUDITORIUM HALL, JUNE 5, 1900.

Mr. Chairman and Ladies and Gentlemen:

We meet tonight in the shadow of a great impending political crime. We meet to protest against the consummation of the crowning political infamy of the nineteenth century. As citizens of a Republic, built upon a corner stone upon which is inscribed the words " All governments derive their just powers from the consent of the governed," we meet to protest against the strangulation of two young republics by a powerful and unscrupulous empire which repudiates the doctrine of government with the consent of the governed.

As citizens of a Republic which owes its existence to the intervention of a friendly power we meet to inquire what has paralyzed the spirit of the American Nation and what causes its Executive to stand nerveless and dumb while two guiltless young republics are being done to death.

The South African Republic has an undoubted right to enact stringent naturalization laws; nay, more, it was absolutely necessary to its existence that it should do so in view of the recent attempt of British freebooters, under the leadership of Jameson and Cecil Rhodes, with the connivance of Chamberlain and the English cabinet, forcibly to seize and plunder their country. But the whole world knows that the real cause of this unjust and unrighteous war is not the naturalization laws of the Transvaal, but the lust of gold. The present war is the bastard, a pawn of an unholy alliance between British greed and British fraud.

HAS DEMOCRACY DEPARTED FROM FIRST PRINCIPLES?

ADDRESS AT JACKSON DAY BANQUET, JANUARY 9, 1901.

Mr. Chairman and Gentlemen:

On the anniversary dedicated to the memory of Andrew Jackson, sternest and truest friend of the common poeple, we meet to revere his heroic character, to attest our devotion to the principles he advocated and typified, and to take counsel for the rehabilitation and perpetuation of those principles.

Andrew Jackson was a man of the people by birth, by instinct, and by choice. An ardent disciple of Jefferson, he equaled his great master in his passionate love of Democracy, excelled him in swiftness of execution, and was his inferior only in intellectual strength and polish. He was the first man in the United States to open war upon monopoly.

With both houses of Congress, the influential press, and all the far-reaching influence of the combined wealth of the Nation in opposition, he succeeded in breaking up the first great trust in this country, the United States Bank.

We do well in these days, when trusts are as thick as mushrooms and as destructive of individual effort as the plague, to keep alive the memory of one whose iron will and indomitable energies accomplished what millions of men are battling for today, seemingly without avail.

We would do well also to ascertain, if we can, why millions of honest, earnest men who believe that private monopoly is dangerous to the public weal cannot accomplish as much as one strong man effected three-quarters of a century ago.

Two months ago two great issues were presented by the party of Jackson to the people of this country for determination. The preservation of republican government as outlined in the Declaration of Independence, and the extirpation of private monopoly.

A majority of 800,000 votes seem to have declared against these principles. I say seem, for I cannot believe that the American people have voted, or ever will deliberately and with a full knowledge of the issues involved, vote against the principles of the Declaration of Independence or for the perpetuation of private monopoly.

There can be but one possible explanation of the result of the recent election. The American electorate were influenced by the lust of money and the lust of blood. Having engaged in a disgraceful war for the extinction of liberty in the islands of the Pacific and meeting opposition, the American voter lacked the moral courage to admit the mistake until his country had succeeded in bludgeoning resistance into insensibility, and the American manufacturer and his mechanics and laborers, finding themselves busy as the result of this war, "hadn't any time for politics" and voted for the party in power.

A wily and well-informed officeholder said to me early last year, "No administration was ever beaten in the midst of a war, or after the end of a successful one." He was right. In the heat of conflict with nations as well as men, passion prevails and reason retires.

The campaign just closed was carried on by the Democratic party on high ground and upon principles of imperishable justice and truth. We were led by a man who excelled in purity of private life, in honesty and earnestness of purpose, in forensic strength and in intellectual greatness, any candidate that the Democratic party has nominated since the days of Andrew Jackson. He conducted a campaign which is without parallel in history and yet an electorate, suffering from a combined attack of war-begotten hysteria and an injection of gold in chlorides or some other form, repudiated him and our doctrines at the polls. In a word, we were beaten because we were waging war abroad and waging men at home.

And now after the battle, let us sound the reveille and take counsel for the future. Truth loses some battles but wins her wars. I remember in my boyhood days to have heard Democracy called "unterrified." Having voted for defeated Democratic candidates with great regularity for some years past, I appreciate the significance of this adjective.

But, gentlemen, we are more—we are undismayed and confident of ultimate success. We are advised by our friends, the Republican press, and certain pseudo Democratic papers to "reorganize." They exhibit a most magnanimous disposition toward a fallen foe. They want us to get upon our legs again and quickly and their advice is to repudiate the men who, when the cause of the common people was deserted by those whom they had exalted to office, stepped into the breach and proved their devotion in the hour of peril. Nay, more, they would have us turn to the men who went over to the enemy or sulked in their tents during the battle, for advice and leadership. When the Democratic party wants counsel and advice it will hardly turn to such a source. No sane man or party will follow the advice of its enemies.

A distinguished ex-President, who was elected to that high office as a Democrat, has also recently, through the public press, expressed his views on the future of Democracy. Words from such a source should and will be received with attention and respect. When he says that this is the time for "moderation of speech and mutual toleration," he speaks words of wisdom; and when he says that the Democratic party "should give the rank and file a chance to be heard," I heartily agree with him, but assure him that the Democratic masses now, as they have always in the past and particularly during the last eight years, have insisted that the rank and file should be heard both in the selection of its candidates and the building of its platform. It was the "rank and file" surging forward from the mines, the factories and the corn fields, that built the Chicago platform and nominated a poor man for the Presidency in 1896 and renominated him at Kansas City in 1900, and it is the rank and file which will in 1904 name the platform and the candidate.

But when the distinguished gentleman, for whom I have the profoundest respect, talks about a "return to first principles" he becomes somewhat misty and indefinite. What are the first principles which the Democratic party of 1900 have abandoned? I know of none.

The founder of Democracy wrote the Declaration of Independence, and assisted in framing the Constitution of the United States. The Democracy of 1900 declared at Kansas City: "We hold with the United States Supreme Court that the Declaration of Independence is the spirit of our Government of which the Constitution is the form and letter. We declare again that all governments instituted among men derive their just powers from the consent of the governed, that any government not based upon the consent of the governed is tyranny; and to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic."

"We hold that the Constitution follows the flag * * * and we assert that no nation can long endure half republic and half empire, and we warn the American people that imperialism abroad will lead quickly and inevitably to despotism at home." Is this a departure from "first principles?"

The Democracy of 1900 declared at Kansas City: "We insist on the strict maintenance of the Monroe doctrine in all its integrity both in letter and spirit." Is this a departure from first principles? It declared at Kansas City, "We oppose militarism. It means conquest abroad and intimidation and oppression at home. A small standing army and a well disciplined state militia are amply sufficient in time of peace." Is this a departure from "first principles?"

It declared in favor of the preservation of the national good faith with the Cubans and Porto Ricans. Is that a departure from "first principles?"

It condemned and denounced the new American policy of forcing our government upon an unwilling people in the Philippines. Is that a departure from "first principles?"

It declared in favor of "territorial expansion" over a willing people who would eventually be fitted for citizenship. Is that a departure from "first principles?"

It declared that "private monopolies are indefensible and intolerable." Is that a departure from "first principles?"

It declared against a protective tariff and government by injunction and in favor of pensions for soldiers and reduction of taxes. Was this a departure from "first principles?"

It expressed sympathy with the two gallant South African republics in their heroic, superhuman struggle for the preservation of their independence. Oh, shades of Washington and Franklin, of Jefferson and Monroe, of Lafayette and Pulaski, of Sullivan and Barry, was this a departure from "first principles?"

But it may be that the distinguished ex-President, when he spoke of "first principles" referred to that declaration of the Kansas City platform which speaks of bimetallism and contains the nightmare figures "16 to 1."

Is a declaration in favor of bimetallism a departure from "first principles?"

Show me when and where Jeffersonian Democracy ever declared for gold monometallism. It never did. I am not a stickler for the ratio; I am not a numismatist, a financier, a banker, or a political economist. The ratio of coinage adopted and utilized by the world for centuries may be right or wrong, wise or unwise. The human race staggered along under it for centuries and did fairly well until the bankers and money loaners became dissatisfied. But assuming that for several centuries the civilized peoples of the world were wrong and that the ratio between metals as demanded by the Democratic party was unfair and unreasonable, the issues in 1900 between the Democratic and Republican parties, as presented by their policies and platforms, were as follows:

DEMOCRATIC.

1. Reaffirmation of the principles of the Declaration of Independence.
2. Denunciation of the infamous Porto Rico tariff.
3. Prompt and honest fulfillment of our pledges of independence to the Cubans.
4. Denunciation of an unjust and disgraceful war of conquest.

5. Territorial expansion with consent of inhabitants fitted for citizenship.

6. Maintenance of Monroe doctrine.

7. Opposition to high protective tariff.

8. A declaration in favor of a small standing army and a well disciplined militia.

9. An honest denunciation of trusts and private monopolies and a solemn pledge to control or abolish same.

10. Bimetallism at a ratio unsatisfactory to many Democrats.

REPUBLICAN.

1. Repudiation of the principles of the Declaration of Independence as shown by our conduct in the Philippines.

2. Justification of Porto Rican tariff.

3. Evasion, equivocation and delay in evacuating Cuba after peace had been restored.

4. Justification of the unjust and disgraceful war of conquest in the Philippines.

5. Territorial expansion with fire and sword in spite of and against protest of the inhabitants.

6. Practical repudiation of the Monroe doctrine.

7. Reaffirmation of the policy of a high protective tariff.

8. A course of conduct favoring a large standing army and the mobilization of state militia.

9. A hypocritical and dishonest denunciation of trusts by men who owned and controlled most of them.

10. Gold monometallism.

Seven of these issues, presented by the Democratic platform of 1900, are among the "first principles" of Democracy. They concern the rights of men and the preservation of human liberty. Of the remainder, two arose out of the Spanish War and concern the preservation of the national faith toward the Cubans and the national honor in dealing with the Philippines.

The only remaining issue is that which concerns not the rights of men but the interests of mammon, not human liberty, but the almighty dollar.

Nevertheless, a number of voters calling themselves gold Democrats placed that one issue which they believed affected their pockets, above the nine issues which affected their country's honor and the liberties of ten million of their fellow men.

Well and truly does the Chicago poet, Ernest McGaffey. exclaim:

> The greed of gain has gone abroad
> And truth and manhood rust,
> The world but one mad impulse feels
> And all for riches lust,
> While Riches at her chariot's wheels
> Drags Honor in the dust.

Now, gentlemen, I have no reproaches for these men. Many of them are warm personal friends, and they declare to me frankly that in politics, as in business, a man should look to his own personal interests, and there is no place for sentiment in either politics or business, if sentiment conflicts with pecuniary interests. They may be right, but I doubt it. All men are not so constituted and all honor to the high-souled, public-spirited men who, believing that the Democratic party was wrong upon the financial question, disregarded their personal interests and cast their votes on the side of the Republic as against the threatened empire. There were thousands of them in this city, Republicans and gold Democrats. Such men as these should sit high in the council chambers of the party in the future, not men who fled from the old colors of Democracy, and went over to the enemy, or who sulked in their tents while the battle was raging afar.

No, gentlemen, Democracy has no need to return to "first principles." It has never left them. It was true to them in 1900. It will be true to them in 1904. The "rank and file" will select the candidates and frame the platform in 1904 as it did in 1900. Who that candidate will be need not concern us now. Whether our admired and honored guest will have the unique and well deserved honor of being thrice nominated and finally elected President of the United States, or is to encounter the political experiences of Clay, Calhoun and Blaine, lies within the womb of the future. Whatever the future has in store for him, and I hope it is the Presidency, the name of "Bryan" will go down in history with the names of Jefferson, Monroe and Jackson, as one of the bravest, truest and most honest friends of the common people. He has found a place deep down in the heart of Democracy from which all the power of plutocracy cannot dislodge him. As to the future policy of the party, in my judgment, there cannot be much doubt. It must adhere to the Democracy of its founder, Thomas Jefferson, as it has done in the past. The Democracy of Jefferson is crystallized in and concentrated to the principles announced in the Declaration of Independence. As Christ concentrated all His doctrines and teachings into these few words, "Love God above all things, love thy neighbor as thyself," so did Jefferson crystallize all his political economy into these few words: "All men are equal * * * with inalienable rights, among which are life, liberty and the pursuit of happiness. All governments derive their just powers from the consent of the governed."

The only party that can accomplish this great end is the Democratic party. Plutocratic greed has the Republican party by the throat. The only way in which the Democratic party can achieve this result is by concentration of effort upon two paramount vital, all-dominating issues, the overturning of the imperialistic tenden-

cies of the day and the suppression of private monopoly. The Democratic party is right upon these issues. Let us confine ourselves to them and to them alone. Too many issues in the last campaign contributed to our defeat. Let us concentrate and not scatter. All Democrats can unite on these issues. Hundreds of thousands of Republicans and Populists will join our ranks.

Let us then unite upon these two great issues and keep them steadily before the people until the next Presidential election. Truth is mighty and must prevail. This Republic was not born to meet the fate of the Roman republic. The love of liberty and equal rights to all still permeates the masses, and just as sure as fate the Democracy and the Republic will triumphantly prevail in 1904.

TO PROVIDE LOCAL SELF-GOVERNMENT.

EDITORIAL IN THE PUBLIC, FEBRUARY 23, 1901.

Judge Dunne, of Chicago, has made a suggestion regarding the constitutional obstacles to local self-government in this western metropolis, which would, if adopted, settle all the difficulties with which the city contends, and without involving the expense and uncertainties of a constitutional convention. He proposes a constitutional amendment to which no fair objection can be interposed. It consists merely in supplementing the clause in the present Constitution which forbids special legislation, with these words:

"Save and except that in all cases where any common council of any city or any board of county commissioners of any county or twenty-five per cent of the voters of any city or such city or municipality shall request the enactment of any law, the Legislature shall have the power to enact the law so requested, said law not to take effect, however, until submitted to popular vote in said city or municipality and a majority of voters thereof shall approve the passage of the same."

MONOPOLY GRIPS THE NATION.

SPEECH AT THE IROQUOIS CLUB, APRIL 13, 1901.

Mr. Chairman and Gentlemen:

Monopoly has the Nation by the throat. One large corporation practically controls all the steel manufacturing industries of the country; another all the illuminating oil; another all the anthracite coal; two control our sugar; two our matches, and four kill and sell to the people of the United States all the meat they eat, and embalm and can all the scraps that are left over and find ready sale for the same to the Government of the United States for consumption by soldiers in the regular Army. Nearly every article of merchandise in common use, from the cradles in which the babies are rocked to the coffins in which we lay our dead to rest, are controlled by the trusts, and Mr. McKinley's late Attorney General declared that the imperial power of the Republic was powerless to manage, regulate or control them. The power which can be and is so energetically used to force a government upon 10,000,000 protesting and unwilling people 10,000 miles away becomes palsied and paralyzed when it comes in contact with a man, or an aggregation of men, which controls ten millions of dollars.

The cabinet is composed of plutocrats, or the tools of plutocrats; the Senate chamber is filled with them; the choice appointments in the Army and Navy are given to their relations or satellites, and through such men and their influence, the spirit of imperialism is rapidly impregnating the official departments of the country.

Republican simplicity and virtue are disappearing. The principles of the Declaration of Independence have been repudiated and trampled under foot. The Monroe doctrine which has been asserted with unanimity and courage by Democratic and Republican administrations for seventy-five years has been cast to the winds.

CHICAGO'S MUNICIPAL POVERTY AND CAUSE THEREOF.

STATEMENT TO THE PUBLIC, FEBRUARY 9, 1902.

A subject on which I have delivered an address, and a subject which is well worth the gravest consideration of the citizens of Chicago is "Municipal Destitution in the Midst of General National Prosperity."

I call attention to the fact that the wheels are revolving all through the United States, and the smokestacks are emitting smoke, which is an indication of general prosperity. Is the workingman getting his share of the profits that are being made? I very much doubt this, because the cost of the necessaries of life has advanced quite materially, probably ten per cent, within the last three or four years, and from all the information that reaches me, I doubt very much whether wages are ten per cent higher than they were a few years ago.

But in view of the fact that the wheels are revolving and business seems to be active throughout the country, in view of the fact that the mellifluous voice of the "promoter" is heard in all directions, I conclude there is prosperity in the country, and from all I can see of the smokestacks of Chicago I am satisfied that Chicago is not an exception to the general rule in mercantile and manufacturing business.

But in the midst of this general prosperity our bridges are closed, our viaducts are rotting to decay, our streets are wretchedly paved and no finances are in the city treasury for the purposes of enlarging or developing the schools; judgments against the city of Chicago are being hawked upon the streets at from seventy-five to ninety-five cents on the dollar, our night schools are closed and the hard working teachers of this community, who have done more than any other class in the community to bring about a situation in which the city ought to be able to recover revenue, have had their wages cut nine per cent; so that I have to conclude that the municipality is in a dire condition of financial distress: Is this or is it not the result of mismanagement?

I find, upon consulting statistics published by the United States labor statistical bureau, that of the twenty largest cities in the United States only two are as economically administered as the city

of Chicago, and only three of them collect as little revenue from taxation as Chicago.

From this I conclude that, in comparison with nineteen other great cities in the United States, and comparing the management of the affairs of the city of Chicago with that of those other cities, it is not wasteful, improvident or reckless.

Compare it with the administration of the country, which is being administered by Republicans, and I find the same situation exactly in the county affairs run by politicians belonging to a different political party. The wages of all the county employes last year were cut eight and two-thirds per cent—that is, they were deprived of one month's wages last year over their violent protest and compelled to work for eleven-twelfths of what they had been paid the year before and for several years prior.

While there has been no substantial increase in the number of county employes within the last five years, I find that the finances of the county are in such desperate condition that during the month of December there was a shortage of ink, pens and stationery in the Criminal Court where I am sitting!

It has been also stated by Mr. Hanberg, president of the County Board, that the finances available for county purposes will only enable them to pay for the care and management of the poor, the insane and the sick in this county, and the wages of its employes, and that it has no money on hand for the purpose of making needed repairs to the county buildings, and that such repairs and additions cannot be made this year.

From all this I conclude that it is not mismanagement on the part of either Democratic or Republican politicians that is the cause of the trouble.

As has been well pointed out by the teachers, twenty-three corporations of this community have been for years evading the payment of taxes upon two hundred and fifty millions of dollars' worth per annum of property. The Teachers' Federation has the list of corporations. They are public utility companies.

Among these twenty-three corporations was not included any steam railway company entering into the city of Chicago.

On further inquiry I have ascertained that the total real estate valuation placed upon the real estate in the first ward of the city of Chicago, being only one ward out of the thirty-four, was $268,000,000 for the year 1900, while the Swift commission which had appraised the same property in 1896, a year which was at the very climax of the dull times in this community, closely following the panic of 1893 and which was therefore a time of conservative estimates, placed it at $422,000,000 approximately.

Which valuation is correct is shown by the fact that last week Montgomery Ward & Co. bought the corner of Michigan Avenue

and Washington Street for $600,000 and the same piece of property was valued by the Swift commission at $368,000.

I have discovered further that all the personal property of the first ward of the city of Chicago is assessed by the Board of Assessors at $38,000,000, while the published reports issued by one of the banks indicate that there is $440,000,000 in cash in thirty buildings —thirty banks—in this city.

All of the real estate in the first ward, money in bank, Marshall Field's dry goods building, wholesale and retail; Siegel & Cooper, Rothschild & Co.,—all of these tremendously wealthy warehouses and big institutions in the heart of the city, all that property, all the personal property in these buildings, was valued at $38,000,000.

From which I conclude that the tax dodger has gotten in his work to such an extent that at least in the first ward he is not assessed on one-tenth of his property; in consequence of which our bridges are closed, our viaducts are rotting to decay, our night schools abandoned and our teachers compelled in order to keep the schools open to contribute out of their miserable pittance ten per cent of their salaries!

ADVANTAGES OF PUBLIC OWNERSHIP AND OPERATION OF UTILITIES.

STATEMENT TO THE PUBLIC, MARCH 29, 1902.

I have no hesitation in declaring that I am in favor of municipal ownership and operation of Chicago's street railways, telephone system, gas and electric lighting plants, providing always that they be managed under an honest and rigid civil service. The public demands and will be content only with two essentials in the operation of these public utilities:

First—Efficiency and comfort in service.

Second—Operation at the lowest cost commensurate with efficiency and comfort.

Filthy cars, defective telephone service, weak and irregular light and excessive charges would not be tolerated for an instant if our public utilities were under city ownership. The administration that would dare offend in any of these particulars would be speedily turned out of office.

The desideratum in the way of good and efficient service, coupled with rates in accord with the cost of rendering such service, can be attained under municipal ownership and management.

The municipality would insist, in the interest of all its citizens, that no more should be charged for service than would be necessary to provide that service. Such is the history of our waterworks and our post office.

Municipal ownership would bring the best results in service, economy and rates. The municipality would not be in the business of amassing great fortunes to be left to the heirs of its stockholders. It would not be in the business of floating great issues of stocks and bonds for the enrichment of its promoters. It would be in the business of giving good service to its citizens at the lowest possible cost.

The objection that municipal ownership would open the doors to official fraud and the padding of pay rolls is untenable. There has been more fraud, bribery and corruption in the Legislature of this State and the City Council by the agents and tools of the private corporations operating Chicago's public utilities in the last twenty years than could be perpetrated under municipal management of the same utilities in the next two centuries.

Point out to me any fraud which might occur under municipal ownership which could compare with the wholesale corruption by which the charters and franchises of the existing corporations have been obtained during the last forty years.

Municipal ownership and management of Chicago street railways, lighting plants and telephones, under an honest and effective administration of the civil service law, would give Chicago better service at lower rates than can ever be attained under private ownership of the public utilities.

And it would give the harassed street railway employes and the employes of the other corporations better wages, shorter hours and the certain tenure of place, which is the best incentive to cheerful and efficient effort.

THE ANTHRACITE COAL STRIKE.

[illegible]

travels, publicity will put a stop to greed and extortion. Rather than face a congressional investigation and report, the coal operators would discover that there was something to arbitrate.

The power of the President to act is given by section three, article two, of the Federal Constitution, which provides: "He (the President) shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall deem necessary and expedient. He may on extraordinary occasions convene both Houses or either of them."

This provision gives the President the right to convene Congress, to acquaint them officially with the condition of affairs in Pennsylvania, and to request the appointment of a congressional committee of inquiry. I maintained, and still maintain, that an "extraordinary occasion," in the language of the Constitution, exists when 150,000 citizens of the Republic are idle, destitute, and on the verge of starvation, and 15,000,000 of citizens are being deprived of or mulcted outrageously for one of the greatest necessaries of life—their winter fuel—and that it is the bounden duty of the President when the governor of a monopoly-ridden state is supine and indifferent to the welfare of his fellow citizens, to call Congress together for the purposes suggested. In 1891, or thereabout, under similar circumstances, the young emperor of Germany put an end to a big coal strike in Wallachia. The miners refused to work for certain wages. They were locked out. Thousands of his subjects were reduced to want, and coal was scarce and dear. The Kaiser sent word to the operators that unless the difficulty was settled promptly he would go down to Wallachia in person and investigate. His trip was never made. The strike was settled next day. The German mine owners did not court publicity.

FAVORS INITIATIVE AND REFERENDUM.

ADDRESS TO CHICAGO'S NEW CHARTER CONVENTION, DECEMBER 16, 1902.

Mr. Chairman and Gentlemen:

I do not think the committee has gone far enough. In the first place, it has confined itself solely to amendments that relate to the revenue law, to the consolidation of the different taxing bodies in this county, and to the amelioration of the justice shop evil, all of which have my assent and will have my earnest support.

But the committee seems to have shut its eyes to the fact that within the last year in this community a large popular vote was cast on a question that is more important to the citizens than the alleged evils that this amendment purposes to cure. Because of the fact that it has not gone far enough, I feel it my duty, as a citizen and a member of this convention, to offer a short substitute in place of the amendment proposed by the executive committee. I will read it:

"Section 34. The General Assembly shall have power, anything in the Constitution of this State to the contrary notwithstanding, to pass any and all laws which may be requested by the city council of the city of Chicago and the city council of all cities in the State whose populations exceed 10,000 or which may be requested by ten per cent of the legal voters of said city. Said law or laws to be applicable only to said city or cities and to take effect only when approved by a majority of all the legal voters of said city or cities voting thereon at the next municipal election held not less than thirty days after the enactment of such law or laws."

The advantages of this substitute are two: First, it is concise, it is clear, succinct, and can be understood by the common people of this community. It embraces in about twelve lines what the committee has taken two or three pages of its report to say.

In the second place, it is more elastic. It will enable the city council of Chicago at times when emergencies arise, such as arose at the time of the world's fair, to pass an ordinance requesting

the Legislature to pass a law which meets the approval of the citizens of the community.

In this city emergencies are always arising, as they did at the time of the world's fair. In the course of a few years we may want, for instance, a Chancery or City Court such as does not prevail throughout the State.

ON THE RACE PROBLEM.

STATEMENT OF JUDGE DUNNE, FEBRUARY 15, 1903.

The alarmist—the "practical" politician who is using the negro to further his own ends—is deferring a settlement of the color problem, according to Judge E. F. Dunne, who said:

I believe in the negro. I do not believe that he has progressed backward, as the paradox has been put. He has been held back by race prejudice, which has placed every possible obstacle in his way. That he has survived these hindrances and advanced as far as he has is proof that his case is far from hopeless, as some affect to see it.

You can not argue the colored question on reason. It is bound about by too much prejudice. But, give the colored man the encouragement and assistance to advance, and I believe he is certain to command that respect which must be the aggressive factor in allaying the race prejudice that grips the South.

That same aversion is with us here in the North. The colored man is by no means given the opportunities which he merits. Is there any demand for the young colored woman of education who seeks even the position of typewriter? Is there any tendency to give employment to young colored men of ability as bookkeepers or in responsible posts which might pave the way to future advancement? No, we are beset by that same prejudice.

If our children come home from school and say that a colored pupil has been given the adjoining desk there is usually a request to the teacher to effect a change. It is the same story here as in the South, except that the great population of blacks there emphasizes conditions.

The negro will solve his own salvation as we aid him. We should spend of our prosperity and plenty to give him every possible facility for education and mental and moral advancement. He needs moral support to devolop his moral character—a development which is as essential, even more so, as that he should learn to read and write and cipher.

We need to extend a plenty of charity to the black man. If this is done he will work out his own problem. When he has advanced until he claims our support and assistance through sheer ability and energy, then we will no longer have a race problem here so far as the black man is concerned.

Statements of public men who affect to see bloodshed and race wars in the future are, to my mind, absurd. Such talk does not aid to solve this pressing question. It retards and hinders and is stirring up further obstacles in the South. Passion, force, and haste will never make for a settlement of this question. Above everything, keep politics out of it.

Granted that President Roosevelt is sincere in his efforts to bring about an advanced order of things, it cannot be denied that there are those in Washington who are dangerous because they are trying to use the colored race as political pawns.

IRELAND'S POLITICAL FUTURE.

ADDRESS BEFORE THE IRISH FELLOWSHIP CLUB, MARCH 17, 1903.

Mr. Chairman and Gentlemen:

We meet on the eve of great events. Last year a political earthquake shook the British empire. The traditional policy of plundering weaker races and despoiling them of their liberty and independence received a rude shock when 50,000 Boer burghers, armed with modern weapons, set at defiance for two long years the concentrated power of the mightiest empire on earth. It received a humiliating shock when Great Britain was forced to conclude a peace which compelled the conqueror to pay a large monetary indemnity to the overwhelmed and gloriously beaten foe. The struggle between the Boer and Briton wrenched the British ship of state so badly that the whole world could see it leak. But it brought English statesmen to their senses.

They have wisely made up their minds to stop the leaks and keep the ship afloat. The worst of these leaks at present is the Irish leak. Seven centuries of British ship-carpentering have been of no avail to stop that leak. Why? Because British statesmen have always been blindly of the opinion that they could impress an Irishman, a Boer, an East Indian, a Jamaican, a Zulu, or a Sepoy at any time, place him in the hold against his will, call him an able British seaman and expect loyalty and obedience. When the ship leaked English statesmen caulked it from without while they treated the impressed seamen like dogs within.

They have just begun to discover that the leaks came from within the hold. This belated discovery, however, seems about to open a new era in British statesmanship. Instead of the blundering, floundering policy of centuries which made rack renting and eviction a duty for the landlord, transportation and hanging the duty of the judge, suspension of the habeas corpus act, abolition of trial by jury, and coercion acts the duty of the legislator, with famine, desolation, and depopulation as the inevitable result, English statemen seem now about ready to adopt a more just, a more humane, and more promising system of government.

Far-seeing British statesmen have at last reached the conclusion that the soil of Ireland must belong to the people who till it and are now working out a plan under which this result may be achieved without injustice to either landlord or tenant.

ROOSEVELT "DE-LIGHTED"–THIRTEEN CHILDREN.

PRESIDENT ROOSEVELT TO JUDGE DUNNE, JANUARY 12, 1904.

"De-lighted! So this is Judge Dunne? You deserve well of your people. Thirteen children? My, my! You beat me by seven, although I have quite a family myself."

President Roosevelt, as he spoke his admiration of Judge Edward F. Dunne today in the White House, pumped the right arm of the Chicago jurist up and down in warm enthusiasm. Behind the two was massed the delegation from the Iroquois Club of Chicago, headed by Congressman Martin Emerich, who introduced the members. He had just finished introducing Judge Dunne as the "Roosevelt Democrat of Chicago—the father of thirteen children."

Outside delegations from New York, under the chaperonage of Congressmen Sulzer, Sullivan and "Little Tim" Sullivan, cooled their heels in company with a party of Georgia Democrats in care of Senator Bacon.

For fifteen minutes the President devoted his admiring attention to Judge Dunne, while the jurist blushed and bowed. Then he shook hands with the thirty other members of the committee, told each at least three times that he came from a great city, said he knew Ernest McGaffey, the Secretary to Mayor Harrison, and was glad to hear that he was a happy father, and bowed the delegation out with a farewell compliment to Judge Dunne. The party was received in the Cabinet room at 10 o'clock, and there were no set speeches.

BOYS.

STATEMENT BY JUDGE DUNNE, JANUARY 31, 1904.

Judge Edward F. Dunne, the man who made Roosevelt famous, and incidentally jealous, by comparing tallies in Washington the other day, has very decided and very interesting ideas on the subject. When I asked him to answer the question, "What is the boy's place in the home?" he sent along the following. One might write on the subject a whole day and not compass so much of intelligent comment:

"To me the answer seems simple. Any place at home is the boy's place, so long as he is at home. Give him any place in the establishment congenial to his tastes, but see that he remains at home as much as possible. If he studies, give him the softest seat in the house. If he is athletic, give him bats and balls, the punching bag and boxing gloves, but encourage his athletic exercises in the house, the barn or the adjoining lots. If he discloses a leaning toward any special science, art or craft, encourage it, and, so far as you can afford it, give him the appliances, books or mechanism necessary for its development.

"But install them in your home and keep him home as much as possible. Has he a penchant for billiards? Get him a table, even if it be a miniature one. The more hours each day your son spends at home the more and the sooner he develops a clean, healthy, social temperament.

"Encourage him to invite clean, manly boys of about his own age to his home, and let him return such calls. Spend as much time with your sons at home as business will permit; enter into their studies, their play, their thoughts, interests and ambitions. Take them out with you as often as possible. Encourage an intimacy with them. Make them your companions as well as your sons, as far as practicable.

"From one to five years old, the boy differs little in domestic economy from the girl. He is a cherub to be fondled and trundled and kissed. From five to ten he becomes noisy, turbulent and destructive, with splendid appetite and vigorous digestion. The best treatment during this period is plain corduroy or never-rip clothes, heavy shoes, spring-lock doors, easily opened from the inside, and ever-ready sandwiches and doughnuts. Never bar his egress from the house; it's a waste of time. He won't go far—

ON THE CHICAGO CHARTER

ADDRESS TO COMMERCIAL CLUB, MARCH 12, 1904.

Gentlemen of the Commercial Club:

You have asked me to address you briefly about the advantages of the proposed constitutional amendment permitting a special charter for the city of Chicago.

I am thoroughly familiar with the terms of the proposed constitutional amendment, and was a member of the so-called convention which discussed its provisions and finally agreed upon the proposed amendment.

I am heartily in favor of the proposed constitutional amendment. I endeavored to have what I believed to be a better and more satisfactory amendment adopted by the so-called convention, but having failed in that, I heartily voted for the proposed amendment that we adopted, and took great pleasure in personally urging its adoption upon members of the last Legislature in Springfield. I am still heartily in favor of its adoption, and will do everything in my power in my humble way, to have this amendment to the Constitution approved of by the people and incorporated in the Constitution.

I am clearly of the opinion, however, that a much more simple and a much more thorough constitutional amendment could have been devised and recommended by this convention than that which was recommended. The proposed constitutional amendment may answer for present purposes; but the city of Chicago is a rapidly growing community and its needs, necessities and demands will be constantly enlarging and changing, and as the years roll by, in my judgment, it will be found that the proposed constitutional amendment will not cover all its necessities and requirements. The city of Chicago has quadrupled in population in the last twenty-four years, and it is likely to increase that population in the same proportion. It would not surprise me if within twenty years, there were 5,000,000 people in the county of Cook, and that this tremendous aggregation of people will be suffering within a few years from legislative evils and burdens not now contemplated and which cannot be foretold or predicted. Because of this fact I believed, as a member of that convention, and now believe, that a more elastic, comprehensive and far-reaching amendment to the Constitution should have been adopted.

Those being my opinions, I had the honor, in that convention, to propose as a substitute for the amendment finally adopted the following:

"*Resolved,* that Article Four of the Constitution of this State be amended by adding thereto a section to be numbered Section Thirty-four, which shall read as follows, to-wit:

" 'The General Assembly shall have power, anything in this Constitution to the contrary notwithstanding, to enact any and all laws which may be requested in writing by the city council of the city of Chicago, or by ten per cent. of the legal voters of said city, said laws to be applicable only to said city, and to take effect only when approved by a majority of all the legal voters of said city voting thereon at the next municipal election held not less than 30 days after the enactment of said law or laws.' "

In moving the adoption of the above proposed amendment to the Constitution, I was honestly endeavoring to accomplish the same object aimed at by the other members of that body of gentlemen, to-wit: to give power to the city of Chicago to adopt a charter which would be adequate to its needs and necessities as distinguished from the needs and necessities of the State at large. If my scheme could and would attain that end, it had three advantages over the scheme finally adopted.

First. It was more concise and succinct.

Second. It was more simple and easily understood.

Third. It was more comprehensive and elastic.

This was not disputed by any man in that convention, composed, as it was, of the ablest lawyers and shrewdest business men in the city of Chicago. It was assailed by them, not on the ground that, if passed, it would not stand the test of judicial inquiry and examination, but that it was novel and revolutionary. Not a man on the floor of that convention, where were John P. Wilson, Thomas A. Moran, John H. Hamline, John S. Miller, E. Allen Frost, H. C. Mecartney, Walter S. Fisher, J. D. Andrews, and a host of other legal lights, claimed, that, if my substitute should be adopted by the people, it would not stand the test of judicial inquiry, or that it could be overturned by a court of last resort. Any objections that could be urged against it in a court can be urged against the proposed amendment to the Constitution finally adopted; but they are utterly without force as against both.

The only objections urged against the substitute resolution offered by myself were:

First. That it was novel and revolutionary.

Second. That it would enable the citizens of Chicago, by popular vote, to suspend the habeas corpus act, abolish trial by jury,

suppress free speech, and deprive themselves of all the rights secured by the Magna Charta.

As to the first objection, I am free to admit that it is new and revolutionary in Chicago, although I advocated the same proposition over a year before in this city and had the idea very favorably commented upon by so conservative and careful papers as the Chicago Chronicle and Journal.

But that it is new or revolutionary in modern political economy is untrue. The principle, therein enunciated, has been in practical and successful operation for thirty years last past in the republic of Switzerland, is binding law upon the citizens of that republic, and has operated to the entire satisfaction of the 5,000,000 people of the republic, which, in my opinion, has the purest and most upright Government upon earth. In proof of this statement, let me quote the following:

Theodore Curti, the Swiss historian and statesman, declares:

"The wholesome effect the referendum exerts upon the country cannot be over-estimated. It is a political school for the people; hence an invaluable element of culture. Wherever it is applied all classes of the population take interest and participate in discussions of the question at issue; mutually imparting and receiving valuable economic and political information.

"The referendum has proven itself a potent factor, both to legislation and to the country at large, in this: that it has strengthened the influence of public opinion upon the representative bodies, who are naturally prone to assume powers which ultimately belong to the people, gradually degenerating into a ruling caste, with the result that private interests are promoted while the affairs of the people are neglected or intentionally buried in some committee.

"I have been a member of legislative assemblies in Switzerland for the past seventeen years, and it is my conviction that the referendum has not prevented the passage of many beneficial laws that we desired to have enacted; but that it has prevented the committing of many errors, owing to the mere fact that it stood as a warning before us."

Karl Burkli, a well-known Swiss economist, declares:

"The smooth working of our federal, cantonal and municipal referendum is a matter of fact, a truth generally acknowledged throughout Switzerland. The initiative and referendum are now deeply rooted in the hearts of the Swiss people. There is no party, not even a single statesman, who dares openly oppose it in principle, and yet many of them curse the institution in the depths of their hearts.

"All the divers votings—federal, cantonal, municipal—go on without riot, corruption, disturbance or hindrance whatever, although with great agitation. . . . Our Swiss political trinity —initiative, referendum and proportional representation—is not only good and holy for hard-working Switzerland, but would be even better for that grand country of North America. It would cure them thoroughly of their leprous representation, both Federal and state, and regenerate the misgovernments of their great cities."

Mr. McCrackan, in his interesting history of "The Rise of the Swiss Republic," says:

"It will always remain the chief honor and glory of Swiss statesmanship to have discovered the solution of one of the great political problems of the ages—how to enable great masses of people to govern themselves directly. By means of the referendum and the initiative this difficulty has been brilliantly overcome. The essence and vital principle of the popular assembly has been rescued from perishing miserably before the exigencies of modern life, and successfully grafted upon the representative system."

That my proposed amendment would enable the citizens of Chicago to suspend the habeas corpus act, abolish trial by jury, and deprive themselves of all the rights which man holds dear, is true, if not restrained by the Federal Constitution. It would do more. It would enable them, if not restrained by the Federal Constitution, to reestablish slavery and bring back the feudal system. Is this an argument or a bogy? Was there ever an instance in history of a man, a family, a community, or a nation giving up and surrendering that which was dearest to them? What have men been struggling for during the long, dark, dreary centuries? For light, life and freedom. You can trust the great body of the people at all times to preserve their lives, their liberties, and the pursuit of happiness. There is not an instance in history where a people, by popular vote, ever surrendered the right of trial by jury, the rights secured by the writ of habeas corpus, the right of free speech, a free press, or any other right which is secured by the common law. Tyrannical rulers in the past and tyrannical judges in recent times have deprived men of these rights. The people never rob themselves of these inestimable safeguards. In framing constitutions the people have always reserved these rights to themselves. Now, what are constitutions? Creatures created by the people. The people are the creators of constitutions. The constitutions are the creations of the people.

The purpose and reason for the making of a constitution is to place limitations upon the powers of the law-makers chosen by the people in a representative form of government, and to reserve to the great body of the people certain rights which they will not trust their chosen representatives to legislate upon or barter away. A constitution is a limitation upon the powers of the legislature; not a limitation upon the right of the people themselves to make laws. The right of the people to legislate for themselves in a true republic, such as is the United States of America, is fundamental, absolute, plenary and unlimited.

Certain forms and methods of ascertaining and expressing the will of the people may have to be complied with under existing laws and constitutions, adopted because of the impossibility of assembling together all of the people in one mighty body. But when these forms are complied with, and the will of the people is ascertained, it is plenary, absolute and supreme. They can make and unmake constitutions, and annul all laws, fundamental and legislative. The whole fabric of the American Government is based upon the theory that the people themselves are the source and origin of all law, constitutional and legislative.

The initiative and referendum simply recognize this fundamental principle of a republican form of government—that the people are the ultimate law-making power—and provide a simple, easy and convenient method of enabling the people who are the source and origin of all the law-making power to legislate directly for themselves upon questions of great public interest.

In offering to the convention my substitute resolution, I merely suggested a simple method to the people of Chicago of exercising that inherent right of legislating directly for themselves. Why should it not have been given them? The citizens of each state in the Union have the right to make and unmake their constitutions, or, if they should so elect, to make laws by the process of the initiative and referendum not in conflict with the Federal Constitution. Why not give to the city of Chicago the same right

The city of Chicago has a population of 2,000,000 souls. Great cities need laws specially adapted to great, crowded, congested communities which would be useless, irksome, or it might be dangerous, to rural communities. Even if this were not so, a city of 2,000,000 inhabitants might be given as much law-making power as a state of like population.

According to the Federal Census of 1900, there were thirty-one out of the forty-five states in the Union which have a population less than that of the city of Chicago.

If the lesser population of these states are given plenary law-making power—within the limits of the Federal Constitution—why should not Chicago be given the same right?

Why should this overgrown and still rapidly-growing giant be kept in the swaddling clothes of an infant? The proposed constitutional amendment, adopted by the so-called convention, would give it a suit of clothes fitted for its present size. The initiative and referendum would give it a suit for present use and an unexhaustible supply of cloth for use in its future growth and development.

Every law demanded by the requirements and necessities of a great city from year to year, which might be presented to the Legislature by the city council, or by ten per cent. of Chicago's voters could, not necessarily would, be passed by the Legislature, and, if adopted and approved by the citizens of Chicago by popular vote, would become a law impregnable against attack in the courts. Why should not this be the situation in a great city in a Republic based upon popular suffrage?

In these latter days the delusion seems to have gone abroad that constitutions and legislatures are the masters, instead of being the servants of the people. Powerful interests seem to be instilling this poisonous delusion into the minds of the people. Lest we forget that the people are the source and creators of all constitutions and of all laws, let us go back and consult the greatest, highest and broadest statesman of our country. Walker's American Law declares:

"The representatives, to whom authority is delegated, are the servants of their masters, of their constituents, whose will it is their office to execute."

Daniel Webster declared:

"The sovereignty of government is an idea belonging to the other side of the Atlantic. No such thing is known in North America; with us all power is with the people. They alone are sovereign, and they erect what government they please."

George Washington declared:

"The powers under the Constitution will always be with the people. It is temporarily intrusted to their representatives—their servants; they are no more than the creatures of the people."

James Madison more emphatically declares:

"The Federal and State Governments are, in fact, but different agents and trusts of the people, instituted with different powers. The ultimate authority resides with the people alone."

Judge Parsons, of Massachusetts, in the ratifying convention of the state, characterized the Federal Government as:

"A Government to be administered for the common good by the servants of the people vested with delegated powers."

Alexander Hamilton, in the ratifying convention of New York, while arguing in favor of the Constitution's adoption, said:

"What is the structure of the Government? The people govern."

Chief Justice Marshall, while emphatically speaking of the people's control over their representatives, declared:

"Who gave may take back."

The experience of the last thirty or forty years that we have had with corrupt and profligate legislators and common councils has forced upon reflecting citizens the conviction that a check upon legislative corruption and profligacy is absolutely necessary. The people are the only superior power who can apply this check, and this check can be applied only by the initiative and referendum.

It has abolished corruption, profligacy and plunder of the people's rights in Switzerland. Why should it not do so in Chicago? Under such a system the lobbyist would be abolished and the wealthy corruptionists would disappear forever.

The only objection that can be urged against it is that it will interfere with the wholesale traffic in franchises and debauchery of its representatives, which has prevailed too long and too injuriously to the interests of the people of this community.

ASSIGNMENT OF WAGE SLAVERY.

STATEMENT BY JUDGE DUNNE, JUNE 26, 1904.

The most unprincipled lot of men in this community are the men of means who ferret out the weak, the dissolute, and unfortunate poor with alluring advertisements in the press, the street cars, elevated roads, and on the billboards of the city, offering money to loan without publicity upon easy terms of repayment. Most of them are unconscionable and remorseless usurers.

They are divided into two classes—the chattel mortgage shark and the assignment of wage shark. The latter is more unconscionable and contemptible of the two. The former only takes as security the personal property, which the unfortunate debtor has paid for and owns. There is thus a limit to his rapacity. When he takes the debtor's personal property, upon foreclosure, he gets his principal and usurious interest out of the foreclosed chattels, and this generally satisfies him.

The assignment of wages shark, however, has no bounds to his rapacity. His mortgage is upon the flesh and blood, the brain and brawn, the whole earning capacity of his unfortunate debtor.

Once the fatal assignment of wages is signed he holds it like the sword of Damocles over the head of his helpless victim and makes his terms of renewal of the notes harsher and harsher.

Most employers, rather than be annoyed with suits upon these assignments, will discharge the employe. The wretched debtor knows this, and the conscienceless loan shark, by threatening from time to time to sue the employer, holds him in as abject subjection as though he were his slave. Cases have recently been developed in the courts of this county where these bloodsuckers have squeezed out of their helpless victims ten times the amount loaned, together with legal interest thereon.

No respectable man would engage in the business. The calling of a highwayman is decent in comparison. The latter only takes what you have upon your person. The assignment of salary shark takes all you can earn above a bare subsistence for months and years to come. The highwayman often needs the money. The assignment of salary shark is generally a smug capitalist, who dresses in purple and fine linen, lives on some boulevard, and frequently occupies a front pew in some church.

Since the recent decision of the Supreme Court of this State, nothing stands in the way of the assignment of salary shark's rapacity and voracity.

In some particulars the case that was appealed was remarkable. Mallin, the debtor, was an employe of Armour & Co. For a loan at grossly usurious rates he assigned his wages to be earned from Armour & Co. or any other employer for the period of ten years, and afterwards went into bankruptcy and received his discharge as a bankrupt.

The Supreme Court, reversing my decision, which held the assignment invalid and the discharge in bankruptcy a discharge of the debt, holds that the assignment was valid and that the discharge of the bankrupt did not release the assignment, and this is now the settled law of the State of Illinois.

I believed and held that the laws of this State, which declare that "it shall be unlawful for any person or company to make deductions from his, it, or their workmen, except for lawful money actually advanced without discount," section three, truck system act, chapter forty-eight, revised statutes, the exemption acts, the act making the wages of a laborer a preferred claim in assignment cases, the act excluding exemption as against wages of a laborer, and the act giving attorney's fees to a laborer who is compelled to sue for his wages, clearly indicated the policy of the laws of the State to be to secure to the laborer his wages in cash.

The only remedy now lies in the Legislature. If a man can assign his unearned wages for ten years he can upon the same principle assign them for life. If he can assign them for life, wherein does his condition differ from that of the black man before the war? Between contractual slavery and inherited slavery is there any substantial difference?

Assignment of wage slavery or contractual slavery now exists in this community, not in a few random cases but an enormous number of cases.

It prevails generally among public servants, such as policemen, firemen, letter carriers, teachers, and clerks in county and city offices. This class of borrowers, however, are in a measure independent of the loan sharks, if their paymasters did their full duty by them and the public by refusing to honor the assignments of their salaries. The great weight of legal authority declares that an assignment of unearned wages by a public servant is void as against public policy, because it unfits him to perform the duties he owes to the public, and I am confident the Supreme Court of the State will so hold, if one of these cases is brought to that court.

But the evil also prevails to an alarming extent among employes of private firms and corporations, who, under the decision

in Wenham vs. Mullin, are absolutely at the mercy of the loan sharks.

A great proportion of the family desertions and suicides of this city, in my opinion, can be traced to the loan sharks.

The Legislature should and must act promptly. It can and should declare all usurious contracts absolutely void, both as to principal and interest, and not as to interest alone, as is now provided by law.

It should declare that all assignments of unearned wages are null and void as against public policy. It has already declared the following contracts illegal:

Contracts giving options to buy or sell at a future time grain, stock, or other commodity.

Usurious contracts as to all interest, chattel mortgage of household goods, unless signed by both husband and wife.

The assignment of insolvent is invalid as to wages due a laborer or servant.

Why not, then, declare these infamous and unconscionable contracts which foster usury, debauch and corrupt the public, destroy and render desolate the homes of the poor, and bring back to our country slavery in contractual form, absolutely null and void, and thus drive usury and immeasurable misery from our midst?

IS THERE INTERNATIONAL MORALITY?

STATEMENT BY JUDGE DUNNE, AUGUST, 1904.

Is there such a thing as international morality?

In other words, is there in existence any code of dealings with each other?

I have never been a student of Vatel, Grotius or Wheaton, and am comparatively ignorant of the principles of international law; but until recently I have had a misty, vague idea that among civilized nations, at least, there was some sort of morality which controlled governments in their dealings with each other. I suppose that this impression was made upon me by the reading of the Declaration of Independence. "The separate and equal station to which the laws of nature and of nature's God entitle man" have never been forgotten by me since I read the words over thirty years ago.

The declaration that "governments are instituted among men deriving their just powers from the consent of the governed" has been regarded by me as axiomatic. I have lived in a Republic, which until the outbreak of the Spanish-American War, lived up to this principle in letter and in spirit and it is natural that being born and raised in a country which sprang into being with such sentiments upon its infant lips that I should have reached the conclusion that such sentiments were the embodiment of national morality and that such a code of morality prevailed to a more or less degree among civilized nations.

Within the last five years, however, I have discovered from the course pursued by the Government of the United States that the enunciation that "governments derive their just powers from the consent of the governed," is repudiated by my own country, as it has been heretofore repudiated by every great civilized government upon earth.

We are governing today from eight to ten million of people in the Philippine Islands without their consent and without, according to them, the right of representation in the Legislature, a right which our Declaration of Independence declares is a "right inestimable to them and formidable to tyrants only." We have burned their cities, ravished their fields, despoiled their

homes, and swept tens of thousands of their resisting manhood into nameless graves to set up a government in these islands which is in defiance and contempt of every principle enunciated in the vaunted Declaration of Independence.

The departure from the first principles upon which the American Republic was founded is bad enough, but within the last ninety days the Government of the United States has gone a step further and a step lower. It has repudiated a solemn treaty made fifty-seven years ago with a sister republic, and practically to all intents and purposes, committed the crime of grand larceny among nations.

Macedon under Alexander became a world power and robbed and plundered every other nation it came in contact with. Rome became a world power and debauched the civilized and semi-civilized earth. Russia, Prussia and Austria became world powers and plundered and dismembered Poland. France, under Napoleon, was a world power and robbed and despoiled every nation in Europe. Great Britain became a world power and robbed every weaker nation she came in contact with and has continued her career of rapine and plunder from the time she massacred the Irish at Drogheda down to the time she blew Sepoys from the mouths of her cannon in India and to the more recent time when she almost succeeded in exterminating the women and children of the Boers in the reconcentrado camps of South America. Nearly every European country as well as the United States joined in the recent spoliation of China.

When I reflect upon the conduct of this country in Panama and consider the conduct of the other great nations of the earth in remote and recent times I am forced to the conclusion that there is no code of morality which prevails or ever has prevailed between even alleged Christian nations.

With all of them might makes right and the mailed hand is the best argument.

REGARDING CRIMES OF VIOLENCE.

ADDRESS BY JUDGE DUNNE, OCTOBER 16, 1904.

Mr. Chairman and Gentlemen:

I have no hesitation in declaring that I am opposed to the infliction of the death penalty upon burglars or highwaymen and that I am opposed to the extension of the death penalty beyond its present limitations. It is a backward step. It is a confession that organized society in the twentieth century is a failure.

The tendency of all modern civilized communities has been in the opposite direction. A little over a century ago it was an offense punishable with death in England to injure young trees, to shoot a rabbit or to steal property worth over five shillings. Yet, notwithstanding the ferocity of such penalties, I believe it to be a fact that there were ten times as many homicides per capita committed in England during the reign of George III as there were during the reign of Victoria.

In recent years scarcely a month passes but that we either have or are threatened with a hanging in Cook County, and yet there seems to be no appreciable decrease in the number of murders committed in this city. Burglary and highway robbery are desperate crimes, particularly when accompanied by the use or exhibition of deadly weapons, but the punishment, now provided by law in this State, ought to be a sufficient deterrent. The highwayman who is intent upon the commission of a crime which will involve his imprisonment for life is sufficiently reckless to be indifferent to the death penalty.

It is to be expected, of course, that every time there is an unusual outbreak of burglaries and robberies in the city hysterical citizens will cry out for the death penalty, but the infliction of the death penalty will not, in my judgment, decrease crimes of this character.

The policy and tendency of all intelligent governments is to prevent crime, not by increase of penalties as a deterrent, but by ameliorating the conditions which provoke or tempt to crime. The establishment of social settlements among the slums, juvenile courts, truancy schools and the enforcement of compulsory education and the child labor laws and the laws which prevent the sale of intoxicating liquors to minors will do more to prevent the occurrence of such crimes than the inflictions of the death penalty.

My experience in the Criminal Court leads me to believe that most of these crimes are committed by very young men, and a large portion of the same by boys verging upon manhood. The history of their lives generally forms an indictment of modern society as at present constituted.

Many of them are whole or half orphans, or the children of dissipated, criminal or poverty-stricken parents, who have thrown them at an early age out into the streets to fight for their living. Hungry and homeless, they naturally gravitate towards the corner saloon, where a free lunch and, in winter, a fire afford them temporary relief and shelter. Thence their graduation into crime is quick and easy.

Two circumstances in Chicago make them naturally turn toward burglary and highway robbery. First, the totally inadequate police force of the city, and, second, the ease with which they can procure deadly weapons. When I speak of the first of these causes I do not mean that our present police force is inefficient, cowardly or corrupt. On the contrary, I believe that Chicago has as efficient, as brave and as honest a police force, man for man, as any city in the world. But we are woefully deficient in the number of policemen the city has upon its pay roll, and this fact is known to our criminal as well as to our law-abiding classes.

There is less danger of detection in the commission of these desperate crimes in Chicago, by reason of the scarcity of policemen, than in any other great city of this country. When a patrolman has to travel several miles on his beat it is an easy matter for a couple of desperate criminals to hold up a citizen on our streets and escape without fear of apprehension.

The ease with which a man can purchase a deadly weapon in this city is another prolific cause of robbery and burglary. These weapons are displayed in the front windows of pawn shops, second-hand and hardware stores all over the city, and young men and boys carry them as naturally as they carry a watch or a handkerchief.

As a more effective way of putting a stop to highway robbery and burglary in this city at the present time than by inflicting the death penalty, which is a return to the ferocity and barbarity of mediæval times, let me suggest:

First. That the board of assessors and board of review discover —what everyone but those bodies know—that the city of Chicago is increasing in wealth every year, and increasing instead of decreasing the annual tax levy, and thus provide for an adequate police force; and,

Second. Have the next Legislature pass a law making the carrying of a revolver, billy, slungshot, dagger or other deadly weapon of like character, concealed upon the person, a felony, punishable with from one to five years in the penitentiary.

In my judgment, if these steps are taken, most of the burglary and robbery with which we are now harassed will disappear from our midst without our being compelled to turn back the hands on the timepiece of modern civilization and to retrograde to the savagery of the eighteenth century.

At the same time let us go out in the slums and purlieus of our great city, like the earnest, rough-and-ready, albeit noisy, soldiers of Christ, the Salvation Army; like the meek and lowly sisters of the Good Shepherd, and the visitation and aid and other kindred societies, and take by the hand the unfortunate boys and girls who in this age of cold commercialism have escaped the notice of those benevolent millionaires who are furnishing higher education for the educated and libraries for the learned and plan them in schools where humanity and respect for law is taught and practiced.

ON THE PANAMA TREATY.

ADDRESS BEFORE HENRY GEORGE ASSOCIATION, DECEMBER 7, 1904.

Mr. Chairman and Gentlemen:

In the year 1846 the United States of America concluded a treaty with the republic of New Granada, now known as the republic of Colombia, in which, in return for certain valuable concessions to American citizens, among which were the same privileges of commerce and navigation enjoyed by the citizens of Granada in crossing the Isthmus of Panama, the United States of America "guaranteed positively to the republic of New Granada the neutrality of the Isthmus and the rights of sovereignty and property which New Granada has and possesses over the said territory."

This treaty has been faithfully observed by the republic of New Granada and its successor, the republic of Colombia, down to the present day, and until the month of November, 1903, was respected and adhered to by the United States of America.

During the month of November just past, the United States Government, without any pretense of this treaty being violated, hurriedly equipped in its navy yards a number of gunboats, loaded up a number of its war vessels with ammunition and marines, and hurriedly dispatched them to Colon and Panama in a time of profound peace.

Immediately upon their arrival, as by a preconcerted signal, a few hundred men in the cities of Colon and Panama, cities located at either end of the Isthmus railroad, seize a few hundred rifles and a splendid supply of ammunition and small arms opportunely placed at their disposal by some disinterested philanthropists, occupy the railroad termini and declare themselves to be the republic of Panama in revolt against the republic of Colombia.

At once, by orders from Washington given several days before, United States marines are landed from the United States gunboats, the railway stations seized by United States troops and all transportation of Colombian troops over the railroad prohibited. The United States gunboats blockade the harbors and Colombian vessels are warned off and prohibited from landing at their own ports, Panama and Colon.

Within one hundred hours after this preconcerted and prearranged emeute, before any election is held, before even any semblance of a convention or convocation is called, before a shadow

of a congress is gotten together, before the rudiments of a provisional government is gotten under way; before, so far as the press dispatches disclose, a provisional president or even a dictator is appointed, the President of the United States gives official recognition to an agent of the French canal syndicates in Washington, who declares himself minister plenipotentiary of the undelivered foetus of a government, and within a few hours afterward concludes an alleged treaty with this worthy which violates the solemn pledges made by this Government with the southern republic fifty-seven years ago.

The foregoing is the shameful story of American history for the month of November, 1903.

A more scandalous and disgraceful exhibition of Punic faith and breach of national honor is not recorded in the pages of history.

In 1846, when the treaty between these countries was negotiated, the young republic of Granada was weak in population and financial strength, but she possessed then and she possesses now one of the most important strategic possessions in the world—a narrow isthmus, about thirty miles in width, separating great oceans, capable of being cut across by modern engineering skill, and thus reducing by thousands of miles and weeks of time navigation around the world. Even in 1846 the envious eyes of the great nations of the world rested upon this isthmus, and enlightened, broad-minded and fairly disposed American statesmen at that date, recognizing the tremendous importance of the position and fearing lest the great land-grabbing nations of Europe might despoil the young republic of its most valuable possession, inspired and brought about this treaty of 1846, which was fair to both republics and mutually advantageous.

The American statesmen of that day were incapable of fomenting rebellions within the territory of sister republics and grabbing off what they could lay their hands on during the disturbances that followed.

In making the treaty of 1846 they were inspired by the spirit of the Monroe doctrine, and guaranteed to the young republic of South America, then but recently sprung into being, that no European nation should despoil her of her territory or sovereignty.

That our Government at Washington connived at the outbreak at Panama is established beyond all question:

First. Walter Wellman, a very reliable and well-informed correspondent, stationed at Washington before the outbreak, wrote to his paper that the United States authorities were hastily dispatching gunboats, marines and munitions of war to Panama, and that something "was in the wind" at Panama.

I remember reading the letter several days before the outbreak.

Second. On November 17, a New York paper printed the following: "Mr. Dugue, publisher of the Star and Herald at Panama, is said to have informed Mr. Hay that the revolution was scheduled to take place on September 23," to which Mr. Hay replied, "September 23 is much too early."

Mr. Dugue went back to New York. Revolution was postponed to November 3.

Third. American war vessels had, by orders of the Government at Washington, been collected within striking distance, and on the day before the revolution began, Admiral Glass was notified to go to the Isthmus.

Fourth. The planting of the agent of the French canal syndicate, the soon-to-be-minister plenipotentiary of the unborn republic, at Washington before the outbreak, so as to be ready to sign the previously drafted and arranged treaty.

Fifth. The scandalously indecent violation of international law and customs in recognizing a representative of a government not even provisionally organized, within a few hours after the outbreak.

Sixth. The signing of a cut-and-dried treaty with a man notoriously interested as the agent of companies which would acquire $40,000,000 thereunder at a time when the alleged republic he claimed to represent had neither a president, a senate, a congress or a flag, so far as the press dispatches disclose to the world.

Seventh. The insolent, outrageous and high-handed conduct of the United States marines and sailors, acting under orders from Washington, in refusing to allow Colombian troops to travel upon the Panama railway to suppress the rebellion, and in refusing to allow the soldiers of the republic to be landed in Panama and Colon, when sent there by their government to put down the disturbance.

The conduct of our Government at Washington in this regard shows that not only was the outbreak organized with the full approval, if not active assistance, of the United States authorities, but that our Government openly succored and assisted the rebels by preventing the Colombian government from suppressing the revolt. That the Colombian government could have suppressed the revolt within a few days, or weeks at most, cannot be doubted in view of the fact that even if every citizen in the state of Panama was in revolt, which is far from the fact, they would be outnumbered as thirteen to one by the citizens of Colombia.

The population of Colombia is 3,878,600. The population of Panama is 285,000. As well might the county of LaSalle revolt against the great State of Illinois.

There is no possible doubt but that our Government at Washington connived at, if it did not actually organize, the revolt at Panama, and that it actively and openly assisted the insurgents

after the outbreak and prevented the constituted authorities of Colombia from suppressing the revolt.

We take the young republic of Colombia in 1846 under our protection and pledge ourselves to protect her from the designs of the great robber nations of the earth. She has around her a girdle of surprising value.

In 1903 we despoil her and steal her girdle.

No wonder that in the agony of her disgrace and misplaced confidence the young republic has appealed from our Government to our people and pointed out to them in words that burn and brand, the infamy of our conduct.

I utter these words, not so much in criticism of the powers that be in executive station at Washington, but in protest at the confirmation of a treaty which, if it is consummated, will forever degrade my country and disgrace the American name, character and flag. This soiled, be-greasy, foul, ill-scented and bedraggled document bearing the names of John Hay and "what's-his-name," minister plenipotentiary of the alleged Panama republic, must be presented, even if it is presented with tongs, to the United States Senate for confirmation. In that Senate there are men professing allegiance to two or more parties. The dominant party does not control the Senate by a two-thirds vote. In the dominant party there are men who love their country and have its honor at heart. In the minority there are men of like caliber. Is there not in the Senate of the United States at least a minority of one-third among all parties who have intelligence and virtue enough to prevent by their votes of "Nay" a motion to confirm this scandalous iniquity and disgrace to the American Nation? For the honor of America it is to be hoped there is. If there is not I can see only degeneracy of the great American Republic like to that which submerged the old republic of Rome into the degradation and final dismemberment of the Roman empire.

It remains to consider the explanations offered by the State Department and its apologists.

First. It is asserted by them that in guaranteeing the sovereignty of the republic of Colombia over the Isthmus, we only pledged the faith of the United States to protect the republic from the aggressions of foreign countries, and that we did not guarantee it from revolt within its borders.

The words of the treaty do not bear this construction. No reference to foreign countries is made in the words of the guarantee. It is absolute and unconditional, and given for most valuable considerations. The guaranty runs not to the state of Panama or its citizens, but to the republic of New Granada. But even if it did not cover insurrection from within, it certainly does

prevent the Government of the United States, in honor and in conscience, from taking sides in case of insurrection with the insurrectionists, or giving them aid or comfort. Yet this is just what our Government has done, and has done so flagrantly, openly and indecently, that even the most shameless apologist of the administration has not the temerity to indorse it.

The press dispatches, without contradiction, all show that we prevented the Colombian government from landing Colombian troops to suppress the outbreak, and prevented the Colombian troops on the ground at the time of the outbreak from using the railroad for a like purpose. The admiral commanding the United States squadron, which had been collected at the Isthmus in anticipation of the outbreak, even refused to allow an envoy from Bogota to land at Panama for the purpose of discussing the situation with the rebels—a most scandalous proceeding for an alleged neutral nation.

Second. It is alleged by the apologists of this national crime that, in recognizing this spawn of greed and corruption, yclept the republic of Panama, we were following international precedents. I know of no such precipitous recognition of a national weakling in history.

In 1861 eleven great states of the United States, having a population of probably 8,000,000 souls, formally seceded from the United States, established a new government and carried on a great war with varying success for four years, and yet no civilized government deemed it proper to accord the new government recognition. The Cuban insurrectionists carried on a successful war for many months against Spain, and had absolute control over large tracts of country in Cuba, and yet neither the United States nor any other government accorded them recognition.

Aguinaldo and the Philippine insurgents against Spain carried on successful war against Spain, and held undisputed sovereignty over a great part of Luzon for many months, and yet neither the United States nor any other civilized government recognized them as a de facto government. Numberless other cases of like character will be found in history, but not a case can be found where an insurrection which springs into being between two days has ever been dignified with recognition as a government within five days after its origin, by any civilized government on earth.

The whole scaly, slimy, miserable plot is so transparently fraudulent and corrupt that an attempted defense of it exposes its defenders to the charge of dishonesty or moral obliquity.

URGES JUDGE DUNNE FOR MAYOR.

LETTER OF JUDGE MURRAY F. TULEY, JANUARY 16, 1905.

To the People of Chicago: It is with great reluctance that I presume again to address you unsolicited upon a subject outside the functions of the office I hold. But I am a citizen of Chicago, no less than a judicial officer, and I feel that I should be unfaithful to one of the highest and withal one of the inalienable obligations of citizenship were I to withhold, at a civic crisis, such as I am convinced is now impending, the word of caution that my love for our city moves me to offer.

The danger to which I allude is not visionary. Unless those people of Chicago (the great majority of our citizenship of all parties, as I believe) who are opposed to the further domination of our traction utilities by financial manipulators of street car franchises, and to the consequent tendency to the corruption of our city government—unless those people assert themselves immediately and emphatically with reference to the approaching municipal election, a great corporate combination, engineered from Wall Street by unscrupulous stockjobbers, will, in my judgment, at that election, completely revive and reestablish the almost obsolete financial and political power of traction corporations over the right and comfort of the inhabitants of Chicago.

The issue of local government by corporations and for corporations will be on trial at this municipal election. If the corporationists win, their victory will be complete. Our rights over our own thoroughfares will then be shackled by cunning compromise contracts for at least another generation. And that the corporations will win at this election, if the present plans in local politics of which I am advised are not frustrated, seems to me almost certain.

It is generally known that the Chicago traction interests are consolidating under the supervision of J. Pierpont Morgan, the great stockjobber of New York.

It is generally known that certain local investment interests are insistent upon making a compromise settlement with the traction corporations, involving an extension of street franchises.

It is generally known that this settlement is plausibly urged as desirable, upon the assumption that the traction corporations, if richly endowed with street franchises, will hereafter render good service.

It is reasonably believed, on the other hand, that the bad service of the past twenty years of profitable franchises speak louder for the probabilities as to future service than any corporation promises possibly can. The people appear from their referendum votes to believe that although these corporations make fine promises and offer tempting contracts while seeking street franchises, they cannot be depended upon to perform their contracts after franchises are granted and the day for stockjobbing arrives. This belief is well founded. Notwithstanding their franchise contracts in the past, these traction corporations have rendered, and they persist in rendering, the worst of service.

The courts hold that public service corporations are bound by the very nature of their being to render good service as an implied contract and that they can be forced by appropriate legal proceedings to render good service; but in the absence of efforts to compel the traction corporations of Chicago to perform this duty under their contracts, expressed and implied, the corporations are defiant. They seem to adopt this attitude for the purpose of forcing the people to compromise by extending franchises upon promises of good service in the future. Theirs is the unique position of urging their own breach of contract as a reason for renewing the contract.

Another plausible and generally known ground for urging a compromise settlement between the city and the traction corporations is the obstacle to immediate municipal ownership of our traction highways which the so-called "ninety-nine year act" interposes. The corporations assume to hold under that act a franchise monopoly of important Chicago streets having nearly half a century yet to run. It is generally believed, however, that this act was fraudulently enacted, that it has been oppressively used against the rights and conveniences of the people, and that it is only a minor obstacle to the resumption by the people of their public interests in and control over their own thoroughfares.

It is also generally known, let me add, that an attempt was made last summer to rush through the city council a compromise settlement with the traction corporations for a franchise of thirteen years or more, and that this programme was thwarted by the referendum petition of 135,000 signers, under which the question of compromise-settlement versus no compromise-settlement is to be voted upon at the April election.

But it is not so generally known that plans are on foot, to be consummated at the municipal election in April, for making a compromise-settlement with the traction corporations, no matter how the people vote on the settlement referendum nor which candidate is elected mayor; and yet I am convinced that such

plans are being perfected and that they will succeed unless the people are in time advised of the danger.

The plans appear to have for their vital element the nomination by the Republican and the Democratic parties alike of "settlement" candidates for mayor. "Settlement" means compromise settlement with the traction corporations on the basis of an extension of street franchises.

Whether the candidates shall be specifically pledged for "settlement" does not appear to be regarded as important. So long as neither is pledged against "settlement" and both are known to favor "settlement", be it for honest reasons or otherwise, the object of these plans is sufficiently served.

With such candidates the traction corporations and all other adversaries of municipal ownership would be confident of a continuance of corporation control, no matter which candidate might secure the mayoral office.

For, under cover of this mayoral contest, it is expected to select not only a "settlement" mayor, but at least a majority of "settlement" candidates for the city council.

Having done that, the referendum vote on the question of "settlement" or no "settlement", no matter how great it may prove to be in opposition to "settlement", is to be ignored as merely "academic".

The projectors of these plans for turning over the streets of Chicago to stockjobbing corporations know full well that their object cannot be accomplished until after the April election, for Mayor Harrison has promised to veto any "settlement" ordinance not approved by referendum vote. They are confident, and so am I, that he would perform this promise.

But Mayor Harrison goes out of office in April and a new administration will then come in. It is, consequently, of the utmost importance to the traction corporations that the new mayor shall be a man who will approve a "settlement" ordinance, regardless of the referendum.

On the other hand, it is of the utmost importance to the people that he shall be a man who will obey the public mandate.

Therefore, the whole matter turns upon the result of the April election. If a "settlement" candidate for mayor be then elected the plans of the traction companies for securing control of our streets indefinitely will doubtless be carried out with no reference whatever to the popular will.

That such plans are on foot I am sure no well-informed man or newspaper in Chicago will venture to deny. That these plans are defiant of public rights, repugnant to the essential prineiples of popular government and a gross outrage upon the property

rights of our city in the interest of stock-jobbing corporations I firmly believe.

How to meet this emergency is for the people of Chicago themselves to determine. I shall not presume to advise. But as a citizen advanced in years, who (as I think I may with modesty say), has always endeavored to foster high ideals of good government, I assert the right and assume the duty of suggesting a general policy.

I feel all the more bound to do this because the question at issue is in no partisan sense a political question. If political in any sense at all, it is so only as any question of honesty in the administration of public affairs may at times become political. It is distinctively an economic question. No party interest of either the Republican or the Democratic party enters into it. Few issues could be so manifestly nonpartisan. For what my suggestions regarding the emergency may be worth, then, I shall frankly express them.

Since the candidate for mayor most likely to be nominated by the Republican party is privately understood to favor "settlement" and has but recently been reported to have so declared himself in public, the possibility of protecting the city against the dangers of a compromise settlement with the traction corporations through the local Republican organization is so slight that it may as well be discarded.

As to an independent municipal ownership party, I do not see how one can be so organized at this time as to marshal the vote which under favorable party conditions would naturally be cast against a compromise traction "settlement" involving franchise extension. Party affiliations are too effective in many subtle ways to admit of the success of an independent party. I cannot, therefore, suggest that course; and I should regard it as useless or worse, except under peculiar circumstances which do not seem to me to exist at present. It might seriously endanger the public interests.

To have Republican and Democratic candidates both favorable to "settlement", or even noncommittal, and a municipal ownership candidate representing only a hurriedly organized third party, would be an ideal situation for the traction companies, and is probably what they would desire.

The only apparent recourse, then, is to secure the selection, by the local Democratic party, of a candidate for mayor whose mere nomination would squarely raise the "settlement" issue, not only on the referendum, but also in the mayoral contest itself.

This candidate should be thoroughly known by all to be unequivocally opposed to any compromise "settlement" involving

franchise extensions; to be in favor of municipal ownership; to be in favor of it as soon as it can be secured without any dilly-dally diplomacy with traction magnates. He should also be a man who would inspire confidence throughout the city in his determination and ability to carry out the municipal ownership policy for which he would stand.

Personally I have no preference. So long as the candidate measures up to that standard on the traction question and possesses those elements of popularity and of general confidence in his integrity that are necessary to his acceptance by a majority of the people, I am indifferent to his personality. My suggestions are not inspired by personal considerations. I care nothing for the ambition of office seekers. But neither in my thought nor through my inquiries am I able to discover but one man who is recognized throughout Chicago at this juncture as answering completely to those requirements.

There are many who measure up to the standard of purpose, integrity and ability, but only one, as the situation presents itself to me, who, in this emergency, adds to those requirements all the qualifications necessary to success at the polls. Regardless, therefore, of misapprehension and misappropriation both as to him and myself, I shall name the man.

I fully believe that he, if called by the people of Chicago to the mayor's chair, would throttle this Wall Street conspiracy to rob the people of their rights in the streets of our city as would a Jackson or a Roosevelt.

In suggesting Judge Dunne, I fully appreciate the criticisms of a mayoral candidacy by a judge on the bench. I yield to no one in opposing office-seeking by judges. But I know that Judge Dunne is not seeking this office. I know that personally he does not want it. I know that he would rather remain undisturbed to the end of his term upon the bench.

I am sure that he would not even accept a mayoral nomination at this time if it were not necessary to thwart the effort of the traction corporations to fasten their powers upon the city.

Knowing all this, I have no hesitation in suggesting to the people of Chicago, opposed to the impending corporate domination, that in this emergency they themselves call Judge Dunne from the judicial bench to the mayoral chair. For, while I object to office-seeking by judges, I see no legitimate reason why a judge should not respond, if the people call him to another post of public duty. It would be carrying the idea of judicial isolation from common affairs and interests to the verge of a senseless fad to deny the people themselves the unquestioned right to call a judge

from his judicial to an administrative office, if in their judgment a civic emergency should demand it.

Whether the present traction emergency in Chicago does demand such action by the people I am not pretending nor attempting to decide. I speak only as one of them. But as one of them I wish to repeat my admonition with all possible emphasis.

Unless you wish to see your streets turned over for another long term of years to stockjobbing traction magnates, who, if the future may be inferred from the past, will give you bad service while charging exorbitant five-cent fares, you must promptly declare yourselves in unmistakable terms.

And if my suggestion regarding Judge Dunne appeals to you, you must appeal to him. He is not seeking the office nor do I believe he will seek it.

With confidence in the integrity of the popular purpose and with all proper apologies for these unsolicited suggestions, I am, very respectfully, your fellow citizen,

MURRAY F. TULEY.

MAKES A UNIQUE PLEDGE.

STATEMENT AS CANDIDATE FOR MAYOR OF CHICAGO, JANUARY 24, 1905.

If I am tendered the Democratic nomination for mayor of Chicago—a nomination for which I have not raised, and will not raise, a finger—and if I accept that nomination, I shall accept no money or assistance of any kind from any street railway company, electric light company, telephone company, tunnel company, subway company, or gas company, or any other corporation that occupies, with the consent of the city, any space in Chicago on, under or above the public streets.

It may be that the campaign will have to be conducted from the street corners, but it had better be so than with money contributed by the corporations. There must be no misunderstanding on this score. I am not now in a position to say how my campaign can be financed, always assuming that I should be the Democratic nominee, but I am in a position to direct how it shall not be financed.

ACCEPTING NOMINATION AS MAYOR OF CHICAGO.

ADDRESS BEFORE CHICAGO DEMOCRATIC CONVENTION, FEBRUARY 25, 1905.

Mr. Chairman and Gentlemen of the Convention:

It would be hypocrisy for me to say that I am surprised at the nomination you have tendered me. It is the truth to say that it has not been solicited. I accept your nomination and express to you my appreciation of the honor conferred: first, because of the exalted honor therein paid me; second, because of the confidence you repose in me; third, and chiefly, because I believe that we are engaged in this campaign in an undertaking, the magnitude of which can not be yet appreciated, and the success of which involves materially, every citizen of Chicago.

I accept it chiefly because I think it lies in the power of the city of Chicago, to blaze the way among American cities for putting into actual operation the principle of municipal ownership, and operation of public utilities. In the coming campaign we will engage in a struggle for the possession of our streets, now monopolized by the traction companies, and begin at once to take steps for the ownership and operation of the street cars by the city of Chicago.

That municipal ownership and operation is no idle dream, that it is no mere captivating fancy, or alluring theory, but an actual reality, can easily be established. We need not discuss the theories of municipal ownership, or municipal ownership alone in the abstract. The people of this city have learned long ago, that municipal ownership and operation is in practical force as to street cars in over 100 cities, in England, Scotland and Ireland; that it is in operation in many of the great cities of Germany, Belgium, Austria-Hungary, Switzerland, Italy, Australia and New Zealand. We know that, where it is in force, it has resulted in reduced fares, in more rapid, constant and efficient service, in increased wages to traction employes, and the unqualified endorsement of the public; that the systems are operated in those great cities to the entire satisfaction of the people thereof, and that no city that has ever tried municipal ownership in operation of street cars has reverted to private ownership.

We know that the city of Chicago is operating one of the greatest electric light plants, if not the greatest, in America, and that it has reduced the cost of electric light more than one-half. We know that municipal operation of the waterworks of this city, for forty years last past, has resulted in giving the people of Chicago probably the cheapest water in the state of Illinois, if not in the United States, and that today, after the city has succeeded in building its immense system of waterworks, and after it has reduced over and over again, its rates to its citizens, it has a surplus in its water fund, of nearly one million dollars, after spending other millions in sewer building.

We know that where municipal ownership and operation of public utilities has been put in force, under a civil service law in the great cities of the world, it has banished corruption completely, within the walls of such cities. We know that it has driven the boodler, and the bribe giver beyond the pale of such cities.

On the contrary, we know from bitter experience in our own city, that private management of public utilities has been grossly inefficient and indecent. We know that the main purpose and aim of those private corporations has been to pay exorbitant dividends upon watered stocks; that it has jammed and massed the unfortunate citizens of our community into miserable, ill-lighted and ill-kept cars; that it has compelled a great percentage of them to stand on the way to their work, and on their way home, at night. We know that it has resulted in the collecting for years of illegal, double fares from our citizens.

We know that it has made us ride in cars whose temperature would chill the living and preserve the dead. We know that it has debauched over and over again our city council and State Legislature. We know that it has brought about the passage of the infamous ninety-nine year act, the Allen bill and the Humphrey bill by wholesale bribery. We know that it has retarded the growth of our city. We know that it has depreciated, by its villainous service, the real estate values of the homes of our citizens, on all sides of the city, and particularly on the west side. We know that it has forced the people of the city within the last six months in an outburst of indignation to roll up a protest against the renewal of any more franchises, signed by approximately one hundred and thirty-four thousand voters.

We know, in other words, from personal experience in this city, that private ownership of the street car system has become a stench in the nostrils of the people. Yet, we are told by certain newspapers of this city, by a Republican platform which, in substance, declares that we must wait, for municipal owner-

ship and operation in the dim future, and by Republican candidates who demand immediate settlement of the traction question —which can only be obtained by granting the new franchise—that there is no present remedy for these intolerable evils.

We are told that a new extension of franchises is the only solution of our insufferable evils, and that we must, for the next twenty years, accept the delusive promises of private companies as to efficient management,—promises which have proved sadly deceptive, and worthless in the past,—and that the city is not now in a position "legally or financially" to assume, own and operate its street car systems. We deny this assertion and will appeal to the people to determine the truth of the issue.

That issue may be crystallized in a few words: "Shall the present companies be granted an ordinance, like the so-called tentative ordinance adopted by the transportation committee of the city council, or any other ordinance under present conditions, or shall the city refuse to pass any ordinance of any character to the present companies or other companies?"

We assert that the city is legally and financially able at the present time to institute proceedings for the immediate acquisition of the present systems, or to build and construct new ones. The Mueller law expressly provides that the city may own and, with the approval of our citizens, may operate street car systems within its corporate limits. That disposes of the legal question, so far as to the right to own and operate is concerned. The financial question is as easily disposed of.

It is said, by the Republican party and the traction press and the opponents of municipal ownership and operation, that the city has no money at the present time wherewith to purchase or equip a street car system.

It is undoubtedly true that the city of Chicago today is without means in the shape of ready cash to acquire or build a street car plant. It is also true that until new legislation can be passed by the Legislature, no bonded indebtedness can be created by the city for that purpose. But it does not follow, from the fact that the city of Chicago has not the ready cash today, and that it has not the power under the present conditions, of the law to raise money by the issuance of bonds, that the city is unable to raise money to acquire the present street car plants or to build new ones.

Section 2 of the Mueller bill expressly provides in Jones and Addingtons' Supplement of 1903, Volume 5, page 555:

"In lieu of issuing bonds pledging the faith and credit of the city, as provided for in section 1 of this act, any city may issue and dispose of interest bearing certificates, to be known as 'Street railway certificates,' which shall, under no circumstances, be or become an obligation or liability of the city or payable out of any

general fund thereof, but shall be payable solely out of a specified portion of the revenues or income to be derived from the street railway property for the acquisition of which they were issued. Such certificates shall not be issued and secured on any street-railway property in amount in excess of the cost to the city, of such property, as hereinbefore provided, and 10 per cent of such cost in addition thereto. In order to secure the payment of any such street-railway certificates and the interest thereon, the city can convey, by way of mortgage or deed of trust, any or all of the street-railway property, acquired or to be acquired through the issue thereof; which mortgage or deed of trust shall be executed in such manner as may be directed by the city council and acknowledged and recorded in the manner provided by law for the acknowledgment and recording of mortgages of real estate, and may contain such provisions and conditions, not in conflict with the provisions of this act, as may be deemed necessary to fully secure the payment of the street railway certificates described herein. Any such mortgage or deed of trust may carry the grant of privilege or right to maintain and operate the street railway property, covered thereby, for a period not exceeding twenty years, from and after the date such property may come into the possession of any such person or corporation as the result of foreclosure proceedings; which privilege or right may fix the rates of fare which the person or corporation, securing the same as the result of foreclosure proceedings, shall be entitled to charge in the operation of said property for a period not exceeding twenty years."

It will be noted under this section the holders of the street car certificates are given three securities: First, the revenues or income to be derived from the street railway property, for the acquisition of which they were issued, there being no limitation whatever upon the period of time during which said revenues may be collected. In other words, the city, if it should elect to operate its street car system, has a right to do so in perpetuity, and all the revenues and income from the operation of the street car system in perpetuity are pledged for the payment of certificates.

Second. Such certificates are secured by a mortgage or deed of trust upon "All of the street railway property acquired or to be acquired by the city." In other words, they are secured by all the tangible property acquired by the city for the purpose of either leasing or operating the same, whether the said property be real or personal.

Third. The certificates are secured by a grant in the mortgage or deed of trust of a privilege "or right to maintain and operate the street railway property for a period not exceeding twenty years, from and after the date such property may have come

into the possession of any person or corporation as a result of foreclosure proceedings."

These securities provided by the Mueller bill, as being in the power of the city to give as collateral security for the payment of street car certificates are much stronger, broader, and more effectual than the security hitherto given to the purchaser of stocks and bonds of the private companies who have been operating street cars in the city of Chicago for the last forty years. The stocks and bonds, issued by these companies in the past, have been based upon no security, but that of the tangible property owned by the road and their expiring franchises. The tangible property in the possession of the city will be as good security as the tangible property that hitherto has been in the possession of these private companies.

These franchises, given as security by these private companies in the past, have been limited franchises which never have extended beyond a period of twenty years, except in the case of the dubious so-called ninety-nine year act. The right of the city to own and operate street cars under the Mueller bill has no limitations as to time; it is therefore much better security than a franchise limited to twenty years, or even a franchise limited to ninety-nine years, and in so far, as it is unlimited in time, it is much stronger than the limited franchises hereinbefore mentioned.

The third and last form of security given is also much stronger and more satisfactory from the financial standpoint than the franchises that have hitherto been pledged by the private companies, for the reason that the twenty-year franchise which can be obtained in the mortgage given by the city of Chicago as security for the street car certificate begins, not as in the case of the franchises of the private companies at some time in the past, but begins, as is expressly provided in the Mueller bill, from the date that the property comes into the possession of the person or corporation as the result of foreclosure proceedings.

In other words, the twenty-year franchise begins to run under the provision of the Mueller bill from the time that the mortgagee gets possession of the property under foreclosure. It will thus be seen that the security given by the Mueller bill is much stronger and better than the security heretofore given by the private companies, as collateral for their stocks and bonds. If a twenty-year franchise is good enough security for the present company to issue stock and bonds to reequip and modernize its present plant, why is it not as good security in the hands of a trustee under a trust deed given by the city to secure street car certificates to be used for the same purpose?

In 1883, these companies procured from the city of Chicago franchises which ran for twenty years. As is shown by the report of Bion Arnold to the city council in November, 1902, the tangible property of these companies, at the time of said report, was worth not to exceed $27,000,000. Notwithstanding this fact, these companies issued stocks and bonds which were purchased by the public to an aggregate of $117,000,000 or thereabout. The difference between $27,000,000 and $117,000,000 is $90,000,000, and that is the value placed upon the twenty-year franchise by the companies and by the public who invested in these companies.

No trust company or millionaire endorsed the paper of these companies. Stocks and bonds of the Union Traction Company and Chicago City Railway Company were signed only by the companies themselves. If private companies having only the security offered by the tangible property and by the twenty-four franchises can raise $117,000,000 upon $27,000,000 worth of actual tangible property, what is to prevent the city of Chicago now on much better security as above indicated, raising the same amount of money?

It will not be necessary to raise any such amount. The city of Chicago can, today, unless I am most egregiously mistaken, not only pay the present companies full value, and more than full value, for all the property and franchises that they now own, to the last cent, but can reequip and modernize the present broken down plants for less than $80,000,000.

If street certificates, as provided for in the Mueller bill, bearing five per cent, or even six per cent, if necessary, are offered to the public, I have no doubt whatever, but that even strong financial syndicates, who are accustomed to the most careful investigation of securities, would snap up these certificates thus secured. If local financiers band themselves together for the purpose of discrediting this class of securities, I have no doubt that the same could be quickly negotiated in the financial centers of the world. Moreover, there is today on deposit in the Chicago savings banks over $500,000,000, the property of men of moderate means, bearing interest at 3 per cent per annum, which, in my judgment, will be taken from those banks for the purpose of purchasing such securities, bearing five per cent interest, if they once were placed upon the market.

There are other ways, outside of the issuance of the Mueller bill certificates, under which the city could provide means for the purpose of the present street car system or for the building or equipment of new ones.

If the city were to offer to a syndicate of capitalists a lease of the car systems of the city providing the syndicate would

provide ready capital for the purchase price of the same, under the terms of which lease the syndicate so furnishing such money, should retain and operate such roads under lease, by the terms of which they should first pay themselves five per cent upon the money invested, and, second, provide a sinking fund for the payment of the capital invested, and third, pay reasonable compensation to the managers of the street car system, leased by such syndicate while operating the property, and after the payment of said liabilities then turn over to the city of Chicago the road free and clear from liabilities, I have no reasonable doubt but that wise and prudent financiers would regard such a lease, terminable only at the time when they receive their capital and interest at five per cent would be adequate security for the investment.

But, if a syndicate of capitalists would not be willing to do this, there is no question in my mind that, if such a lease were tendered to a corporation organized for the purpose of leasing and operating the street car system of the city of Chicago, under such an arrangement upon the understanding that the management of the same was to be placed in the hands of competent railway men, at decent remuneration, the depositors in the savings banks of Chicago, who are drawing but three per cent upon their investment, would be very glad to back any company organized for such a purpose and under such a management and exchange their deposits for stock bearing five per cent interest.

Under the present condition of the Constitution of this State, as amended by a recent constitutional amendment, ample power lies in the hands of the Legislature to pass a law enabling the city of Chicago to issue bonds to a sufficient sum to pay for the acquisition of these street car systems, and under the new charter, which we are promised the city of Chicago will be in a position to raise sufficient money by the issuance of bonds as is authorized by the Mueller bill, provided the people by a referendum authorize the issuance of the same.

Other methods of raising money have been suggested to me. However, the discussion of ways and means is premature until a price is obtained, at which this property can be bought or acquired at condemnation; then will arise for the first time the question of the practical means of raising money. There are only two things needed to accomplish municipal ownership, and only two: first, the determination of the citizens that they wish it, and, second, the election of public officials with a disposition, courage and virility to carry out the people's will.

The only objection to municipal ownership, worthy of notice, is that it will tend to build up a great political machine, in that

the employes of the road in the municipal operation would be placed in positions by the machine politicians, and that the service they would give to the public would be guided by the wishes of their political sponsors rather than the demands of the public.

No advocate of municipal ownership is in favor of the ownership and operation of a street car system by the city without stringent provisions for the enforcement of a rigid civil service law. If the employes of the municipal system were to be selected, as the employes of the present companies are often now selected, upon the recommendation of aldermen and others having a political pull, we all recognize that the service rendered by such employes would be wholly unsatisfactory. Such an employe being amenable only to his political sponsor, would feel independent of the public, and would give it insolent, rather than satisfactory, service. The hope and aim of the friends of municipal ownership is not to put the street car system into politics, but to take the street car system out of politics. It is notorious that any alderman or other public official who is on good terms with the traction companies of this city, can put his friends to an unlimited number into the positions furnished by public service corporations.

Friends of municipal ownership demand that, in any ordinance providing for municipal ownership and operation, there shall be a clear, systematic, and rigid civil service provision, and that all employes sholl be selected upon a practical examination open to all persons alike, and that their selection shall be determined solely and exclusively by their capacity to perform the work, and not by their political influence.

Civil service has been instituted within recent years in the departments of the city hall, and year by year it has grown in popular favor and the officials chosen to enforce the civil service law are enforcing the same with greater severity and strictness as the years roll by. Today it is impossible under the civil service law, as administered under Mayor Harrison, for any politician, no matter how vigorous his pull, to place a man upon the police department, the fire department, or in the water office. The civil service law is being gradually extended to all departments of the city government, and in the event that the city should undertake to operate the street cars of this city it should at once be put in force in the transportation department of the city.

In that event, the present employes of the traction company, from superintendent down to the men who oil the wheels, should be placed upon the official roster of city employes and should hold their places, irremovable except for cause, upon a fair and impartial trial, had before the civil service board, where both the

accused and his accuser could be brought face to face. Vacancies by death, removals or for other causes should be filled only by persons who have passed satisfactory examinations under the civil service, law, and these examinations should be made practical tests of the efficiency of men seeking such positions. The civil service law today is a success in the Federal post office, in the water office, police department and fire department of the city of Chicago, and it can be made, and it must be made, a like success in the transportation department of the city government, when the government elects, if it so elect, to operate the street car systems in the city.

In conclusion, let me add that, as a friend of municipal ownership and operation, I will exert myself to the utmost to see that the civil service laws of this city are preserved in their strength and vigor, and shall see that they are vigorously and efficiently enforced under my administration.

Let the citizens of Chicago not be deterred by the hollow, false, and insincere objections urged against municipal ownership and operation by the traction press syndicate. These papers stood sponsors for the so-called tentative ordinance last summer, an ordinance so vicious and reckless of the interests of the people, that they rose in revolt against its passage.

They stand sponsor now for the Republican candidate and platform. Can they be trusted as advisors of the people? In my opinion they cannot. If the people would protect their rights they must go to the polls en masse on the first Tuesday in April and register their solemn protest against the further spoliation of their streets, and the further exploitation of the people by millionaires of Wall street.

ADMONISHES PARTY LEADERS OF THEIR DUTY.

ADDRESS TO PARTY WARD OFFICERS, MARCH 10, 1905.

Mr. Chairman and Gentlemen:

When I look over this audience and realize that it is the greatest and grandest that I have ever seen gathered for such an occasion, I cannot but bear in mind that this is a council of war. I know that these men who are gathered here are the generals of divisions, the brigadiers, battalion commanders, the colonels, the majors, the captains and the lieutenants of the great Democratic army of Chicago, 175,000 strong. You represent the rank and file of the party; you are the leaders of the men in the field, and your leaders, the practical men who have spoken to you, can tell you what your duties are better than I can.

For four years I have been trying with what strength and ability I have to place this army upon a high plane. Two years ago, with the assistance of that grand old man that every Chicagoan esteems, respects and trusts, the man who first called me to your leadership without consulting me, we wrote into the platform the principle of municipal ownership and operation of the traction utilities. This year we have placed the army still higher; we have placed it very near the citadel; and over it waves the white banner of truth and sincerity.

Opposed to us is another great army, as strong or perhaps stronger than our own, but it is not on the heights; it is floundering in the morass and is fighting under the black banner of deceit. We stand for the right; the Republicans, to their sorrow and discomfiture, are in the wrong. We know that the people of Chicago are as capable and as honest as the people of other cities of the world to own and manage their own street car lines, and we know that they desire to own them and will do so.

Outside of either of the great armies, 175,000 strong, is another force of 50,000 voters that will side with that party which is in the right. You, who go among the people and hear the expressions of men upon the questions that are involved, you know that they are gravitating toward the Democratic ranks, and if you, who are charged with that work, will go out and get the stragglers, the indifferent of our own party, and get their votes,

there is no more doubt of the result of this election than there is of your sitting here.

You know the way in which that may best be done. The practical men who have spoken to you have pointed it out better than I can. But I want to say this to you of this election: You have heard of Hopkins Democrats, of Harrison, Sullivan and other varieties. There are no distinctions in this campaign. There are no Dunne nor any other man's Democrats, but only municipal ownership Democrats.

If we win this fight, if the people of Chicago give me their confidence as you have, I can assure you that it will never be abused and that it will not be misplaced.

JUDGE DUNNE SCORES HARLAN PLAN.

STATEMENT TO THE PUBLIC, MARCH 15, 1905.

The coming election will probably be the most important municipal election that has been held in the United States for at least half a century; important not only in its effect upon the people of Chicago, but in its effect upon every municipality in this country. Upon its result depends the question as to whether or not American cities are to take the course pursued by European and Australasian cities in owning and operating their own street car systems, or whether the cities of America shall adhere to the mistaken course hitherto followed in farming out the management of their utilities to private capitalists.

The eyes of the whole American voting world, as well as the eyes of the American financial world, are now centered upon Chicago.

By reason of the fact that most of the important franchises which have hitherto been granted to private corporations, giving them the right to own and operate street cars upon its streets have expired, Chicago is placed in the unique position of being called upon, before any other great American city, to decide this question.

The gravity and importance of the situation cannot be overestimated. Within the last few weeks the great firm of J. Pierpont Morgan & Co. of New York has, through three authorized agents—Marshall Field, P. A. Valentine and John J. Mitchell of this city—invested the enormous sum of $25,000,000 for the purchase of two-thirds of the stock of the Chicago City Railway Company. All of the tangible property of that company at a liberal estimate is not worth over $12,000,000. Yet that great financial firm has within the last thirty days paid out, it is reported in the papers, $25,000,000 in hard cash for two-thirds of the stock of the Chicago City Railway Company. For this immense amount of money they have received $8,000,000 worth of tangible property and the mere prospect of obtaining from the citizens of Chicago an extension on their present franchises. This enormous investment must have been made with the expectation of procuring from the citizens of Chicago an extension of the present franchise rights of that company. That expectation must be based

upon the conduct to be pursued by the next mayor of Chicago and the next city council. J. Pierpont Morgan & Co. must, therefore, have made this investment in the belief that either one of the great parties of this city will succeed in placing in the mayor's chair a man who will favor, and, in the aldermanic chairs, men who will vote for an extension of the present expired franchises.

The people of Chicago must turn to the candidates of the two great parties to discover which one of them is likely to gratify the expectation of J. Pierpont Morgan & Co. by extending the franchises of the street railway companies.

It is exceedingly improbable that either the Prohibition or the Socialist party will poll sufficient votes to elect their candidates. The city of Chicago must, therefore, scan with care and caution the platforms of the Republican and the Democratic party and the antecedents and character of the candidates nominated by these parties to run upon these platforms.

J. Pierpont Morgan & Co.'s expectation of an extension of franchises must be based upon the Republican platform and the Republican candidate or upon the Democratic platform and the Democratic candidate. Let us carefully consider then first the platforms of the respective parties with relation to the traction issue.

The Republican platform declares for municipal ownership and operation "when the city shall be legally and financially able successfully to adopt it." The use of these three adverbs in the Republican platform leaves the question of time as to when the city shall attempt to own and operate in a delightful state of uncertainty. Does it mean today, does it mean ten years hence, does it mean twenty years hence or a century hence? None can tell. It is left absolutely to the judgment of the officials who may be elected upon that platform to hereafter answer when that time shall come.

The Republican platform further declares that no extension of franchises "should" be given that does not meet the approval of the citizens of Chicago. This is simply the declaration of a truism. It deliberately refrains from declaring that no franchise "shall" or must be given.

The Democratic platform, on the other hand, declares emphatically: "We demand that Chicago follow the example of the enlightened municipalities of both the old world and the new by taking immediate steps to establish municipal ownership and operation of the traction service of the city. That the city council, by resolution, terminate all negotiations with the street car companies for the extension of existing or the granting of new franchises. In place of such negotiations that the city government proceed at once

to negotiate with the street railroad companies for the purchase of their tangible property and their unexpired lawful franchises for a fair, liberal and full price."

The Democratic platform in contrast with the Republican platform is clear, definite and distinct. Following out the mandates of that platform, no extension of franchises of any character could be given by the city officials elected upon the Democratic ticket to either the Chicago City Railway Company or to any other corporation.

This is the clear and plain distinction between the two platforms. Under the Republican platform an extension can be given and, if the Republican candidate is elected, I predict an extension will be given. Under the Democratic platform no such extension can be given and I promise, if elected, as I will be, that no such extension will be given.

Such being the platforms, let us now examine the records of the candidates. Both of us have been before the public for over twelve years, he in private and I in public station. During this campaign I shall indulge in no personalities and I shall endeavor to treat my opponent with the fairness and justness to which his prominent position before the public for several years past entitles him. I shall only discuss his attitude on public questions, as contained in his own language, upon different occasions and, if I shall find that his attitude and position, as declared from his own lips, places him in inconsistent positions, it is for the public to determine whether or not he is inconsistent and whether or not he is sincere or vacillating in his course.

On December 12, 1898, the Republican candidate, as he is quoted in the Record, one of the papers that is now supporting him most energetically, said: "The mayor has committed himself before this audience to the principles of municipal ownership twenty years hence. Gentlemen, if the people of Chicago want it now—if the people want it—then I say it is their property and now is the accepted time. I want to say now that, if the Allen law is repealed and the present mayor of Chicago, by whose side I am now fighting and am glad to fight, announces the proposition that he favors a twenty-year, or any other franchise, at this time, at any per cent of compensation whatever, I shall be as ready to fight with him on that proposition."

This was my opponent's attitude over six years ago. At that time the Mueller bill had not been passed and the city of Chicago was not legally able to own or operate street cars. He was a lawyer at the time and is so now and he must have known, when he made that statement, that the law did not empower the city of Chicago to own and operate street cars.

The Mueller bill has been passed since then and the city of Chicago, under its provisions, is now legally authorized to own and operate street cars, the operation dependent, however, upon a referendum of its citizens. The Republican candidate, since the adoption of his platform nearly a month ago, has never once declared for immediate municipal ownership in any of his numerous speeches, although the city is now authorized by law to own and operate its street railway system. He has not once used the word "Now," the insistent word that he used in December, 1898. Why this omission? Has he not changed his views most materially? Is it not remarkable that a man who declared for immediate municipal ownership, when the law did not empower the city to own or operate, should now, when the law does authorize the city to own and operate, fail to make a similar demand. I charge that my opponent, therefore, because of his extraordinary failure to make a demand for immediate municipal ownership in his numerous speeches during the last few weeks has abandoned the views that he held in 1898. That I am not in error in placing this interpretation upon his conduct and his platform is further shown by the views expressed upon his platform and his own conduct by his supporters, the newspapers, which are championing his cause in this city.

The Chicago Post, a paper which is most vigorously advocating my opponent's election, on February 14, 1905, contained the following: "What is needed is a majority of honest, capable aldermen who will grant a reasonable franchise for twenty years. We can make the best terms with capital by granting the longest term possible—namely, twenty years. Every year we clip from that term we clip something of greater value from either the compensation to the city or the quality of the service to the citizen."

On March 2, 1905, the Chronicle, which is also supporting the candidacy of the Republican candidate, editorially declared: "In spite of a good deal of talk about what the people of Chicago may do at some time in the remote future, the issue as joined between Mr. Harlan and Judge Dunne amounts to the assertion by the former that municipal ownership of street railways is impossible and to the declaration by the latter that it is not only possible but desirable and that steps to that end should be taken at once.

"Mr. Harlan pronounces immediate municipal ownership an impossibility and shows that, even if it were desirable, to adopt that policy the city is not now and will not be for years to come in a position to do so. * * * His assertion that such a thing is now an impossibility is literally true and it practically puts him in opposition to the lunatic proposition which Democrats and Socialists have brought forward. * * * Mr. Harlan's lucid and convincing argument, showing the impossibility of immediate municipal ownership not only sweeps away a humbug * * *."

This is the position taken by the Chronicle interpreting my opponent's position, and I would have it remembered that this is the interpretation placed upon his conduct by one of his friends.

On March 26, 1905, the Chronicle further states: "Mr. Harlan's program, on the other hand, is one of reason and soberness. He expects and means to compel immediate and active negotiations for an equitable franchise ordinance with the traction companies. * * * 'I will say for myself,' he says, 'that before long, after the election is over, there will be submitted to you a concrete plan for the settlement of this question.' * * * No solution will be accepted, which does not make effective and genuine provision for municipal ownership and operation when the city shall be legally and financially and successfully able to adopt it. If, as many think, that time will never come then the time will never come when Mr. Harlan will advocate municipal ownership."

Here we have a clear, succinct statement of my opponent's position, as interpreted by a newspaper owned and controlled by a man with whom the Republican candidate, I am informed, has been in recent conference quite frequently. If my opponent's friends and advocates so construe his position, what further need is there for me to inquire as to what course he will pursue if he should be elected mayor.

I charge, therefore, upon the authority of the Republican platform, upon the authority of statements made and failed to be made by the Republican candidate, and upon the interpretation placed upon his conduct by his own supporters, that, if elected mayor of the city of Chicago, he will be in favor of an extension of the franchises of the present companies. In further support of this charge I would call the attention of the people of this city to the fact, that, when the so-called tentative ordinance, formulated by the committee on transportation of the city council was brought up for passage last summer, the Daily News, Record-Herald, Tribune, Post and Chronicle, all of which are now ardent supporters of my opponent, were then advocating in a most strenuous manner its passage.

This ordinance was so unfair and so unjust to the people of this city that, at the call of two men in this community and two newspapers, much abused by the Republican candidate, 134,000 voters of this community rose in open revolt against its passage and attained their object by a monster referendum petition.

In contrast with my opponent's position, I have but to say that for years, in season and out of season, I have been advocating the cause of municipal ownership; that I have always maintained that the city of Chicago, since the passage of the Mueller bill, was in a position legally and financially to own and operate its street car systems successfully; that last summer without conference with

Judge Tuley or any other citizen, I openly opposed in a public speech the passage of this unfair and iniquitous tentative ordinance and did everything in my power to prevent its passage, and it was largely due to the efforts of Judge Tuley and myself and the Hearst newspapers that we succeeded in stopping its passage. And yet my opponent with pretended gravity charges me with being opposed to a referendum.

I was largely instrumental in drawing the Democratic platform and succeeded in placing in that platform the following plank:

"We believe in the principle of the referendum upon all important questions and demand the proper legislation to make it binding upon all public servants, thus carrying out the will of the voters of this city twice expressed at the polls."

My opponent ignores the existence of this plank in the platform and charges upon me and the Democratic platform that we are trying to evade a referendum.

Again he declares that I am committed to a policy of paying $80,000,000 to the present companies for their property, which he terms "junk." The Republican candidate had before him my speech of acceptance when he made this charge, and he knew at the time that what I said was as follows: "If private companies, having only the security offered by the tangible property and by the twenty-year franchises, can raise $117,000,000 upon $27,000,000 worth of actual tangible property, what is to prevent the city of Chicago now, on much better security, as above indicated, raising the same amount of money?"

"It will not be necessary to raise any such amount. The city of Chicago can today, unless I am most egregiously mistaken, not only pay the present companies full value for all the property and franchises they now own to the last cent, but can reequip and modernize the present broken-down plants for less than $80,000,000." My opponent knew that, in making this statement, I covered not only the tangible and intangible property of the present roads, but also the cost of reequipment and modernization. He must have known that the present companies, in argument before the people of this community for an extension of their franchises, have claimed that it would be necessary to expend $50,000,000 in reequipment and modernization of these roads. He must have known that Bion Arnold reported to the city council that their tangible property was worth in the neighborhood of $27,000,000, and he must have known that they have some unexpired franchises which, if purchased or taken from them by condemnation, must be paid for. If you will add $27,000,000 to $50,000,000, which it has been claimed is necessary for the modernization of the plants, the result is $77,000,000, leaving a margin of but $3,000,000 to pay for the intangible property, to wit, the unexpired franchises.

In the discussion had before the local transportation committee of the city council, it was contended on behalf of the Chicago City Railway company that it would take $15,000,000 to rehabilitate and modernize that plant alone. The north and west side companies carry more than twice the number of passengers carried by the Chicago City Railway Company, and, if it would take $15,000,000 to reequip and modernize the south side system, it would take at least $30,000,000 to rehabilitate and modernize the north and west side systems. If it takes $45,000,000 to modernize and we add the $45,000,000 to the $27,000,000, the value of the tangible property, it will make $72,000,000—leaving a margin of only $8,000,000 as the value of the intangible property, to-wit—the unexpired franchises. I have not had the benefit of advice from expert railway engineers in arriving at these figures. It may cost less and it may cost more to rehabilitate and modernize these plants. In all probability it will cost much less than the amount claimed by these companies. I used the statement "less than $80,000,000" in order to fix what I believed at the time, without the benefit of expert testimony, would be an outside figure. And yet, in view of this statement of mine, culled from my speech to the Democratic convention, the Republican candidate says that I am ready, on behalf of the city of Chicago, to pay $80,000,000 to these roads for their worn-out and antiquated tangible property. I leave the justness of his criticism to the determination of my fair-minded fellow citizens.

Now, fellow citizens, when J. Pierpont Morgan & Co. expended $25,000,000 for the purchase of $8,000,000 worth of tangible property they did not rely upon obtaining any extension of franchises from the city of Chicago either from the Democratic administration or myself. They must have relied upon the platform and personality of some other party and some other candidate.

To test this issue as between the Democratic and Republican parties and between myself and my distinguished opponent, I now ask him to declare, as the representative of the Republican party, whether or not he is in favor of the so-called tentative ordinance as adopted by the local transportation committee of the city council and recommended to the people by the four Republican members of that committee, Aldermen Bennett, Foreman, Raymer and Hunter, three of whom are now seeking reelection upon the same ticket with himself. Let him squarely answer the people of this city whether or not, if elected, he will be in favor of the so-called tentative ordinance or any ordinance of like character.

One word more and I have done. It has been claimed that municipal ownership would increase taxes, should the city take over the street car lines, acquiring a full ownership of them by the issuance of street car certificates. It would not cost the general

taxpayers of Chicago one cent. It would in no wise increase the tax burdens of the people of Chicago. More than $5,000,000 have been diverted from the earnings of the municipal water department to pay for sewers. In this way the general taxes of the people have been reduced $5,000,000 by reason of the fact that the city has municipal ownership of its waterworks.

The cost of the street car lines acquired under municipal ownership would be met by the issuance of street railway certificates, which would be a burden upon the street car lines and upon nothing else whatever. It never could in any possible way operate to increase the taxes of the people.

FIRST INAUGURAL ADDRESS AS MAYOR.

To the Chicago City Council, April, 1905.

Gentlemen of the City Council:

It is usual to deliver what is called an inaugural address on these occasions. I forbear in view of the fact that my inaugural has been framed by the people of Chicago. The issues crystallized in the platform on which I was elected is the policy I have elected to carry out.

I shall use all the ability and industry with which my Maker has endowed me to carry out this platform of the city of Chicago. And I want to thank you, gentlemen, for the disposition you have already shown to aid by holding up my hands.

I shall try to act with the same impartiality for which you have just commended the retiring mayor. If I shall deserve the same vote of thanks you have just given him, and if I succeed in carrying out the will of the people of Chicago, I shall retire at the end of my two years' term well satisfied.

CHICAGO'S FIGHT FOR MUNICIPAL OWNERSHIP.

ADDRESS BEFORE THE NEW YORK MUNICIPAL OWNERSHIP LEAGUE, APRIL 7, 1905.

Men of the East: we bring you tidings of great joy from the men of the West. The exploitation of public property by private capital, with its attendant greed, extortion and corruption, has had its day in American cities, but that day is about to end.

Fully half a century ago, the citizens of Chicago drove from control of our water system the private capitalists who were then plundering the public. Ten years ago they dislodged the coterie of private capitalists who were exploiting our streets for the sale of electric light to the city. Next Monday, Chicago starts upon her mission of dislodging private capital from the control of our street car system.

She has succeeded in the operation of her waterworks system in paying some $38,000,000 for the equipment of that plant, has loaned $5,000,000 from that department to the sewer system, is today giving the cheapest water of probably any city in America and has a cash surplus of nearly $1,000,000.

She has so managed her electric light plant that she has reduced the cost of arc lamps from $125, charged by private companies to the city, when she first constructed the plant, to about $54 per arc lamp per annum. She is operating and has been operating both departments, as well as her police, fire and educational departments, without scandal, graft or corruption, besides cheapening the cost of utilities that she is furnishing to the public. She will have the same record of success in relation to her street car system.

You men of New York may surpass us in wealth, and, it may be, in culture, but Chicago, in our judgment, is the nerve center of America and the leader in economic thought and action.

Chicago is the only city in America that has declared by an overwhelming majority in favor of the municipalization of her street car system, and what Chicago wills she does.

The history of the struggle for this achievement is interesting. It commenced ten years ago. Private capitalists who had possession of our streets at that time, not content with the fran-

chises they had already and which were limited by law to twenty years, went to the State Capitol, and, by the most shameless and notorious corruption, induced the Legislature to permit the grant of fifty-year franchises. The people were taken unaware; the law was passed before the people discovered its dangerous features. But the public spirit of Chicago at once revolted and before the private capitalists, who were then in possession of her streets, could have an ordinance passed in the city council, pursuant to the terms of the act passed by the Legislature, the people were upon their feet with fire in their eyes and determination in their faces.

The very next Legislature, composed of men who were largely the same men that composed the former Legislature, was compelled to repeal this infamous law. From that time to this, the people of Chicago on one side and the capitalists, who were in charge of this business on the other, have been in a life and death struggle for the possession of our streets.

It has required the utmost watchfulness on the part of the people, during all this period, to prevent the passage of a law or ordinance by which the city streets would have been locked up for another period of twenty years. Only last August, by a combination of politicians belonging to both of the political parties, an arrangement was made in the common council, by which a twenty-year franchise was to be granted to the present traction companies; but at the call of a few public spirited citizens and newspapers, the people rolled up a mighty petition of protest, signed by 134,000 men of Chicago. This protest was got together inside of twenty days and filed with the election commissioners, as a protest against the continued exploitation of the streets of Chicago by private capital.

During the election, just closed, a crafty attempt was made by the private capitalists, in control of Chicago streets, to have the platforms of both parties so constructed as to permit the passage of an ordinance extending the franchise of the private companies. The candidates were to be selected from among persons who were known to be willing to grant some sort of extension but this design having become apparent, Judge Murray F. Tuley, the grand old man of Chicago, one of the most disinterested and respected citizens of our city, issued an alarm call and pointed out to the citizens that the only way this scheme could be defeated would be to unite upon someone who would command the confidence of the citizens of Chicago, and who believed in the municipal operation of public utilities as against private franchise grants. The people responded enthusiastically to his call and as

the result of a chain of circumstances that choice devolved upon myself.

The citizens of Chicago have been educated up to the fact that a municipality can operate any of the public utilities with much greater satisfaction to the people than can the same utilities be operated by private capitalists. They have learned, wherever a city in any portion of the civilized world has taken over the operation of its waterworks, gas plant, electric light plant or street railway system, that in every case, when fairly tried, the cost of these utilities to the public has been reduced, the wages of the men who operate them have been increased, the hours have been reduced and more efficient service has been rendered.

People in Chicago know that gas is being manufactured by municipalities in Great Britain and is being furnished to citizens for about one-half the rate paid in Chicago. They know that gas is sold to the citizens of Glasgow, Scotland, for instance, for 52 cents, while under private management previously the charge was a dollar per thousand feet.

They know that no city that has taken over its street car system has ever reverted to private ownership. They know that all over America, where private ownership of street car systems prevails, the charge for fare is 5 cents, while in Glasgow 1⅞ cents is the average fare paid. In Europe, where municipalities are operating street car systems, the fare varies from 2 to 3 cents per ride.

They have heard discussed all the objections against municipal ownership in America, and after the fullest discussion they find that these objections are untenable and unfounded.

It may be wise for me to discuss briefly before you citizens of New York, the only two serious objections raised during the recent struggle in Chicago against public ownership and operation of public utilities:

First, that it would tend to build up a great political machine. None of the friends of municipal ownership in Chicago or elsewhere advocates the ownership and operation of any utility by municipalities, unless in connection therewith there is a civil service law under which all applicants for positions, irrespective of their politics, will be treated exactly alike and under which just and reasonable tests will be applied to public servants to ascertain their fitness to perform the work entailed upon them.

We have such a law in the city of Chicago, under which, for several years past, it has been practically impossible for any man to place a friend upon the police department, fire department, or water department.

Where there is a public utility, controlled by private capital in the city of Chicago, any alderman who votes "right" has an unlimited field in which he can anchor his political henchmen.

The only other serious objection, urged in Chicago against the operation by the public of its own utilities, was that the municipality has no money. That cry is always raised everywhere, and I presume it will be raised in New York when you start, as I understand you have under contemplation the operation of your municipal lighting plant. There is no force whatever in the objection. The operation of these utilities, either by public or private persons, is a valuable privilege. They can only be operated by permission being given to someone to use the public streets. The privilege is of priceless value, and when any public or private corporation furnishes light, furnishes power, furnishes street railway transportation, or any of these utilities the right to use the streets is of untold wealth to these.

We in Chicago propose to raise all the money necessary to purchase an up-to-date street car system upon certificates which are special or limited promises to pay out of the income collected from the system. They are not general promises to pay which will entail taxation.

Under the law of the State of Illinois, these certificates are termed street car certificates. They should more properly be called income bonds. They are secured under our law in three ways:

First. By the pledge of all the income of the municipal street railway plant, this income being unlimited as to time; in other words, when the city of Chicago commences the operation of its street car system, its right to do so is not limited to twenty, thirty, fifty or a hundred years time; it may operate until the crack of doom, and all its receipts in perpetuity from this source are pledged for the attainment of these securities.

Second. These certificates are secured, under our law, by a mortgage, which mortgage conveys all of the tangible property in the transportation department of the city, both real, personal and mixed, power houses, railway tracks, sprinkling carts, and every kind of property used in the transportation department.

Third. These certificates are secured by twenty-year franchise; in other words, there is a provision in the law, under which, if default be made in the payment of street car certificates, or of interest thereon, for the period of one year, then in that case the holders of the certificates may apply to a court of chancery to foreclose all of the tangible property used by the city in its transportation department, and, at the foreclosure sale, there shall be knocked down to the bidder, the franchise commencing to run

upon the date when the purchaser buys the property, and running twenty years thereafter.

Private companies in the past have been able to sell stocks and bonds aggregating in value $117,000,000, when their tangible property was worth less than $27,000,000. If they could raise four times the value of the tangible property upon an expiring franchise, can any sensible man for a moment hesitate as to what amount of money the city of Chicago can raise upon the security hereinbefore mentioned?

I have no hesitation in predicting that, if these street car certificates, secured in this manner, are offered upon the financial market, the financial syndicates of this Nation will be tumbling over each other to get possession of these securities, and even if the financial powers should be combined together to discredit them, the citizens of Chicago have three or four times as much money as may be necessary to purchase, reequip and modernize all the plants of their city, deposited in the savings banks of the city of Chicago, drawing three per cent interest and having no other security than their faith and the credit of the banks.

These savings banks depositors, if they are offered these street car certificates, secured as I have detailed, will be very glad to take their moneys from the savings bank, where they are obtaining only three per cent, and invest them in street car certificates, signed by the mayor and comptroller of the city of Chicago and secured by a mortgage and a twenty-year franchise.

As to the legality of these certificates, in my judgment, there is no possible doubt. Some of the best lawyers of the city of Chicago have already declared in favor of their validity, and we can have a test case made which will reach the Supreme Court of the State inside of three or four months which will forever set at rest the question of legality.

The operation of public utilities by municipalities is no untried theory. It is in practical operation, as to street cars, in 146 great cities in Great Britain, in Berlin, in Vienna, in Budapest, in Paris, in the cities of Belgium and Switzerland, and in the cities of Australia.

Where it has been put in operation with reference to street cars it has brought about these results:

First. The reduction of the street railway fares.

Second. The increase of the wages paid to the laborers employed in the department.

Third. The reduction of working hours.

Fourth. Increased efficiency in the service accorded to the public.

Fifth. The abolition of strikes. Where cities run their own street cars no strikes result. It is like the operation of the police and fire departments in your city. Have you ever heard of a strike among policemen or among firemen? They don't strike, because, if they have well founded grievances, the public is reasonable enough, through its constituted authorities, to remove these grievances. If these grievances are ill founded, public sentiment is against them and there is no strike. Municipalities enter upon these undertakings, not for the sole purpose of making money, but for the purpose of giving good service to their citizens and good treatment towards their employes.

Sixth. Wherever a municipality has taken over a public utility, as to this utility, corruption and bribery cease. There is no motive for the corruption of an alderman in case of a utility operated by the public.

The operation of public utilities by private capitalists has been the source of all the scandal, corruption and disgrace, which have fallen upon the Legislatures and common councils of the State of Illinois. If these results have been secured in the cities of Europe and Australia, why cannot they be secured in the cities of New York and Chicago and the other cities of America?

The citizens of this country are just as honest, just as capable, just as well educated and just as safe to be trusted with the management of their own utilities as the citizens of those countries. The men or party who charge the citizens of Chicago or of New York with being so inefficient, incapable or dishonest as to be unable to own and operate their own utilities, frame an indictment against the citizens of these communities which our people will answer at the polls with a verdict of "not guilty".

The movement in favor of municipal ownership of all public utilities has taken deep root among intelligent people of this country. It is no passing sentiment. It is here to stay. Municipal ownership and operation of these utilities and governmental ownership of the railroads, telegraphs and express transportation is a practical question upon which the people must pass within a very short time. And the politicians and parties who ignore this sentiment must be prepared for a short lived career before the people.

We in Chicago have no fear as to the results of municipal ownership. We are confident that the will of the people can be carried into effect and that, too, without the imposition of a single dollar's worth of taxes, and we say to you men of New York that you can, by the exercise of the same determination, bring about municipal ownership in your city of any public utility

that you may desire furnished by the people of your city without an increase of taxation upon your citizens.

I congratulate the Municipal Ownership Association of New York and the men who now surround me upon this stage and in this audience upon being pioneers in this movement in the city of New York, and I hope that as great success will attend your efforts as have attended the efforts of the people of Chicago. I do not doubt that the men of New York can and will move forward in the same way as the people of Chicago. I feel assured of this when I see the movement here has enlisted in its ranks such men as J. G. Phelps Stokes, Judge Samuel Seabury, Thomas Gilleran, C. A. Habiland, Nelson G. Palliser, Judge Palmeri and the distinguished journalist, Congressman William Randolph Hearst, without whose services to the people of Chicago in this fight we could not have achieved such early success.

I may be pardoned for uttering a word of advice to the people of New York. I would urge upon you to go forward unhesitatingly and without deviation from the course marked out for your civic progress by the splendid organization that called together this evening this magnificent assemblage of the citizenry of New York.

UPON A SHARP REVERSAL OF PUBLIC POSITION.

ADDRESS AT JEFFERSON DAY BANQUET, CHICAGO, APRIL 14, 1905.

Mr. Toastmaster and Gentlemen:

In the November election, President Roosevelt received in the city of Chicago a plurality of nearly 110,000 votes. Five months thereafter a Democratic candidate for mayor carried the city by nearly 25,000 plurality. This wonderful change in public sentiment within so short a time is pregnant with importance.

In the Presidential election, the personality of the candidates had much to do with influencing the popular vote. In the mayoralty election the personality of the candidates may have had something to do with the popular vote. But above the personalities and far beyond them were the principles involved, as no such change could have been brought about by the mere personalities of the candidates.

President Roosevelt carried the city of Chicago because the people of this city believed that the platform upon which his opponent stood was a mere string of meaningless phrases and because they further believed that the Democratic party last fall was not standing for principles enunciated for the real benefit of the people. On the contrary, the people of this community on the 4th of April believed that the Democratic party had framed a platform which stood for principles and that those principles did affect and concerned materially the interests of the citizens of Chicago.

The Democratic party won in the spring election, because its platform plainly, clearly and truthfully declared for principles which were for the best interests of the people. It lost last fall, because its platform was a compromise and because the people believed that it dealt in platitudes rather than principles.

The results of these two elections should teach the lesson to the men who stand high in the councils of Democracy that evasion, insincerity and retrogression should have no place in the platforms of the Democratic party. The party must take and hold to advanced positions. It must keep pace with the march of events. It must declare against monopoly in any and all forms, against special privilege in every guise.

Jefferson, in his lifetime, stood for equal rights to all and special privileges to none, and, if Jefferson were in the flesh today, he would be standing against special privileges given to great corporations whose money is contributed by private capitalists that have seized and taken possession of the railroads, the telegraph and the express transportation of the Nation, of the telephones, electric light plants, waterworks, gas plants and street car systems of our cities.

Private corporations have seized and taken possession of these means of transportation and the conveyance of information, light and power, all of them monopolies requiring the use of public property. By possession of these monopolies they have been despoiling and plundering the people of this country.

The people have at last awoke to the fact that such monopolies are unfair, iniquitous and dangerous to the Republic. And the blow struck in Chicago will be followed by blows of like character throughout the cities of the United States. It will also be followed, in my humble judgment, if the Democratic party is wise and prudent and incorporates in its next platform a ringing declaration in favor of Government ownership of interstate railroads, telegraphs and express transportation, by a decisive victory in favor of the common people of this country.

Aggressive Democracy is in the saddle and, if it remains aggressive, it will carry the country. If the Democratic platform contains one plank in favor of Government ownership of interstate railroads, telegraphs and express companies, and another in favor of the abolition of the protective tariff, I have no doubt but that it will win.

If the protective tariff be abolished and the Government takes possession of the means of transportation of conveyance, of freight, express packages, and information, every dangerous trust in America will die a natural death in five years.

THE STORY OF THE STREET CAR COMPANIES OF CHICAGO.

INTERVIEW WITH J. J. MCAULIFFE, ST. LOUIS POST-DISPATCH, APRIL 15, 1905.

"Now that the fight for municipal ownership has been won, how will you proceed to get control of Chicago's great street car system?"

Elected on a platform committed to the immediate carrying out of this idea—an idea, by the way, which contemplates turning a private monopoly of $117,000,000 capital into an asset of the people—Judge Edward F. Dunne, new mayor of Chicago, pondered the question a moment and then calmly and with characteristic simplicity answered:

"Chicago will go about this matter just as would an individual, seeking to recover his own property, which for some reason or other has temporarily gotten beyond his possession.

"But there is this difference: The municipality, the State and the Government of the Nation itself can go further than the private claimant.

"At the 1903 session of the Illinois General Assembly, the people succeeded, in spite of open opposition and secret intrigue, in spite of the plotting of boodlers and the scheming of traction interests, in having a bill passed, under the terms of which, for the first time in the history of this State, municipalities were empowered to own and operate street cars. This bill is popularly known as the Mueller bill.

"This bill having been approved by the voters of Chicago, it enables the city to acquire street car systems by the institution of condemnation proceedings.

"In other words, it empowers the city which desires to own and operate public utilities to condemn the property and franchises of public utilities and under the right of 'eminent domain' hale them into court and compel them to surrender their property at its true cash value.

"Such is the plan, by which Chicago cannot fail to come into possession, not only of her street railway lines, but eventually, of all telephone, electric light and gas companies and other utilities of a semi-public nature.

"The problem," continued Judge Dunne, wheeling in his chair, and stopping to sign a fresh batch of letters, acknowledging congratulatory messages, of which he has received thousands from all parts of the United States and many from the other side of the ocean on his victory of April 4, "is simplicity itself.

"The details, of course, are intricate and necessarily will require some time to be worked to perfection.

"But success is bound to be realized. There never was a contest waged by an earnest people that the people did not win."

The telephone rang and the mayor leaned over his desk to answer it.

When he had gotten back into a comfortable position, the door leading from the general reception room opened and three aldermen entered. The mayor welcomed them cordially.

Most of the assemblymen are in sympathy with the administration public ownership plans, a striking contrast to conditions here a few years ago, when 8,000 citizens marched with ropes to the city hall to lynch a faithless lot of public servants who threatened to pass over Mayor Harrison's veto a fifty-year street car franchise bill.

"You will take your first step when?"

"That has already been done," responded the mayor. "Engineers are now at work drawing up plans for a complete municipal street car system. When these are completed we will advertise for bids on construction and road equipment.

"Most of the present companies are depending upon an old legislative grant, known as 'the 99 year act,' passed by the Legislature in 1865, to sustain the right of their contention to do business at the old stand. The city challenges this claim. The Federal Court, where receivership proceedings are pending, has decided this act is constitutional, but has so far held that it applies only to a small part of the Union Traction Company.

"Until the courts fully and permanently dispose of that question, we will not attempt to say that the franchises affected have expired.

"What we will do is this," and the mayor slapped his knee with his hand to emphasize the remark, "is to begin operations where we are certain there will be no obstacles thrown in our way.

"There is no doubt of the expiration of the franchise on the Adams Street line and the absolute right of Chicago to take it out of the hands of the present management.

"This line begins at State and Adams Streets, in the heart of the business section, and extends westwardly, intersecting the city from the east and west, a distance of about eight miles.

"We will use this right-of-way for a trunk line and build to it with branches from the north and south side of the city. In some cases we will parallel the old companies, which we expect will be willing to agree on terms of sale before their new competitor is able to get in the field."

The Adams Street line, which is a part of the Chicago Street Railway Company, the only solvent street car corporation here, is almost identical in length and locality with the St. Louis Easton line.

The Easton line runs from Fourth Street directly west to the city limits, through a thickly populated district. It could be made the basis for terminal lines to north and south St. Louis, as it is virtually now, at Jefferson Avenue, Grand Avenue, Eighteenth Street, Vandeventer Avenue, Taylor Avenue, Sixth Street, Fourth Street, Broadway and other intersecting transfer points. In like manner the Adams Street line is crossed by others operating to the extreme north and south side of Chicago. For the most part the franchises governing these branch lines are now in litigation.

"When our experts have figured out the total cost of the enterprise, and we think we will be able to show that street car building is comparatively cheap," said the mayor, "we will submit our plans and specifications to the people at the election next November.

"Under the law they will require for ratification a three-fifths vote, but there will be no trouble about this. The people have already decided by an overwhelming vote what they want and they will not be patient until they own their own public utilities."

In speech, in manner, in dress and in action Judge Dunne—he prefers the old title of judge, which has clung to him so long, to that of mayor—is every inch a Democrat.

I was impressed with his earnestness, just as I was convinced that his makeup is free from taint of demagogy.

He is not a theorist, not a millenium dreamer, not a self-conscious reformer, but a man of heart, of brain, of courage, of conviction and resolution.

He was not prepared for my interview, but he took up each question and answered it more readily than the ordinary man, who usually asks time to "think it over."

It was my good fortune to see the mayor in the role of peacemaker between labor and capital.

He was seated at his desk and around him were gathered the representatives of Chicago's tremendous and diversified interests.

The twelve men stood before Chicago's mayor, asking him to use his good offices to settle a strike of teamsters, which arose from differences between the firm of Montgomery Ward & Co. and its employes, over the question of the former employing non-union labor in a certain department. The men possessed nearly one billion dollars of this world's goods.

On the other hand was a labor union with no funds and nothing save the brawn and skill of its members to float its fortunes.

Earlier in the day Judge Dunne had heard labor's side.

"We will consent to have you appoint an arbitrator to settle the differences," they told the Mayor. At the last conference Montgomery Ward & Co. were not represented.

But a sympathetic walk-out was threatened and the men of millions had come to the mayor to seek a way out of the impending trouble.

"I think the best solution of this whole thing, gentlemen," said the executive, "is for you gentlemen to exercise what influence you can on Montgomery Ward & Co. That is where the trouble originated."

But the employers couldn't see things this way. They insisted they had no right to interfere in the other strike at all; they were merely looking out for their own interests and thought the mayor should intervene to prevent a strike.

"I can not do that. Strikes are legal. Men can stop work whenever they want."

"But these men are unjust in their demands," said the representative of Marshall Field & Co.

"And so the union men say of you, gentlemen," persisted Judge Dunne.

"Peace and good order will be preserved, but that is as far as I can legally go.

"If one of you lived next door to a neighbor who was continually quarreling with his wife, and that quarrel extended to your own premises and threatened to embroil the neighborhood, wouldn't you try to have it stopped?

"The situation so far as Montgomery Ward & Co. is concerned, is an exact parallel."

Through the interview the best of good feeling prevailed and the Dunne wit put the employers in fine humor. When finally they left it was with the assurance they would do all they could to induce the firm mostly affected by the strike to consent to arbitration.

Judge Dunne is 51 years old. He is a native of Connecticut. In the new executive of the second city of America, the unruffled

judicial temperament is pleasantly harmonized by a disposition that seems to get all the joy there is out of life.

The breadth of his intellectual preception is measured by his eminent record as a jurist, his public addresses on economic problems and his fine grasp of municipal affairs.

His nearness to the heart of the people is certified by the fact that, in every election, from the time he made his first race for circuit judge of Cook County, thirteen years ago, down to the mayorality election, when he defeated his Republican opponent, John M. Harlan, son of the United States Supreme Court Justice, he has run ahead of his associates on the Democratic ticket.

There is something imposing in the Dunne face. It is at once an expression of gentleness and determination. The head is square, almost perfectly so, and sets well on broad, muscular appearing shoulders. An almost ruddy complexion is matched by light brown penetrating eyes.

Judge Dunne's usual garb is a black frock coat, in no sense a sartorial masterpiece.

Instead of the conventional black tie of the statesman or jurist, he sports a wine-colored affair that is made into a neat bow. Just below is a small stone that illuminates a wide expanse of shirt bosom.

The ambition and pride of Chicago's new mayor may be gauged from the half serious, half joking remark made to a friend the other day after the election:

"When I die," said the judge, "I want this inscription placed on my tombstone:

" 'Here lies the remains of Edward F. Dunne, the father of thirteen children and Municipal Ownership.

" 'May he rest in peace.' "

In discussing the future of municipal ownership, Mayor Dunne declared that sooner or later it would prevail in every large city of the Union.

"What is true of Chicago," said he, "is true of all other cities. The principal street car companies in Chicago are capitalized and bonded for $117,000,000. The value of their tangible property is much less than $27,000,000. They occupy nearly 800 miles of city streets, covering an area of 68 square miles. Until recently they have been paying dividends on their total bonds and capitalization.

"From this, it is apparent they have forced the citizens of Chicago to pay them 5 per cent dividends on $90,000,000 of stock, which has no tangible property behind it, and which has not been invested in the railroads, but which is the value placed by these

companies upon the charters given to them by the very people out of whom they are squeezing their extortionate income.

"A consideration of this state of facts must convince the most skeptical person, the private companies that are furnishing water, gas, electric light and street railway transportation, both in this country and Europe, are charging exorbitant prices for these commodities and much more than is charged for them by publicly owned companies.

"This cannot be the result of mismanagement by private companies and efficient management by public companies, for it has always been claimed, and I think it will be conceded even by advocates of public ownership, that the wages paid by publicly owned companies are always higher than those paid by private companies, and that the publicly owned companies are not managed with the same stringent economy that is characteristic of private ownership, where every attention is paid, even to the minutest detail, in order to decrease the cost of production.

"Private companies in their anxiety to swell the dividends of their stockholders and to provide for further issues of 'watered' stock charge the public more than is reasonably necessary for the pecuniary success of these enterprises, and what they charge is extortion pure and simple.

"The interest of public companies is mainly to furnish the utilities to the public as cheaply and efficiently as possible, consistent with successful management of the enterprise. The spirit which actuates them is the public good, while private corporations are run solely for private gain. The motive controlling the one is selfishness; that which actuates the public companies unselfishness."

"How will the proposed municipal enterprise be financed by Chicago?" I asked Judge Dunne.

"That will be very easily done and without costing the citizens a dollar. We will be able to get all the money we need and our security will consist of tangible property—that is, the property of the street railroad itself.

"Under the terms of the Mueller bill, the city of Chicago can issue certificates, payable only out of the prospective receipts of the street car companies and the property acquired, which will bear interest at the rate of 5 or 6 per cent a year.

"It is true Chicago is now indebted to its constitutional limit and there are no funds available in the public treasury. But there is no force in the contention that this would prevent our putting into effect municipal ownership on a practical, safe, conservative basis.

"By agreeing to turn over to contractors or lending companies the prospective income from a street car system to be erected, until the contract price for the construction of it is paid, with 6 per cent interest thereon, we can readily negotiate loans; in fact, I have no hesitation in saying that, if the present street car companies were offered a satisfactory price, they would willingly accept street car fares at present rates as security for the purchase price. They may deny it now, but mark my prediction, they will offer to do so before the street car problem is settled in this city.

"Why do I make this assertion with such confidence?

"First. Because such a pledge of prospective receipts would be essentially the same, or better security than has enabled them in the past to bond and stock their companies on the stock exchanges for four times their intrinsic value.

"Second. The different traction companies in this city in negotiating their stocks and bonds, have given no outside securities.

"The names of these companies and these alone are signed to their bonds and stocks. Hence only the property of these companies is liable for the payment of these obligations. What does the property consist of? Their tangible property, worth only one-fourth of the aggregate of these liabilities and their franchises which at no time extend beyond 20 years.

"If four times the value of the tangible property has been raised in Chicago within the last few years by private street car companies, which can only pledge these receipts for less than twenty years, can it be seriously contended that one-half of that amount, which will be more than adequate for all purposes, cannot be raised by the city upon a pledge of the same tangible property and a pledge of the receipts unlimited in time.

"This was done in the city of Glasgow, which pledged for the payment of the purchase price of its gas works, the plant and its receipts and guaranteed that each house renting for one pound sterling (about $5 of our money) would pay, as gas rent, six pence, or in American money, each house renting for $40 a month would pay a gas bill of $1.

"If the conservative and canny Scot is satisfied with such security why not the more conservative American financier?

"In case the 99-year act was held to be constitutional in its entirety could the city of Chicago even then institute condemnation proceedings to force the old companies to sell out?

"We shall do nothing that will impair contracts or that the law does not give us the right to do. The validity of the 99-year act will be thoroughly tested. I doubt if it applies to but few lines of the Union Traction Company.

"Notwithstanding the right of the companies to operate under the 99-year act Chicago has already secured an entering wedge by getting possession of the Adams Street line, which intersects the heart of Chicago almost from the lake front to the city limits.

"Having established this line, what is to prevent us from entering into direct competition with the old companies. We can go where they go. We can build where they build. We can command public patronage where they cannot. Even though the purse strings of the banks and moneyed interest were shut tight on us, there would still be left $600,000,000 of the people's cash, now on deposit in the safe deposit companies and banks of Chicago.

"We could easily fall back on the people and get from them the necessary funds to go ahead with the municipal system. But these things will not be necessary. Men like J. Pierpont Morgan, who are back of the present corporations, know when they are whipped. They know when to cry 'enough.' They will not wait until the city forces them through competition to knock at the city's door for a settlement."

"How long will it actually take, barring unlooked for obstacles, to construct a street car system?"

"It may be done in one year and it may take two. It is possible the fight will not be finished then. We may have to go to the Legislature for more legislation. If the Mueller law, of which we will make a test case in a very few months, is declared unconstitutional, we shall ask the Governor to call a special assembly to enact a new one or amend the defects of the old."

I reminded the mayor that the chief objection to the city owning the street cars was that it would result in the upbuilding of a great political machine.

"That is not true," he said, firmly. "The friends of municipal ownership are the friends of civil service.

"If the street car enterprise were to be operated independent of the merit system then such an objection would have considerable force.

"Every ordinance providing for municipal ownership shall contain rigid civil service provisions. No conductor, motorman or mechanic, clerk or other employe will be granted employment without first having rendered himself eligible by passing the civil service examination. The board of examiners will be absolutely nonpartisan.

"Friends and advocates of municipal ownership and control know that, where municipal operation has been put in force, it has been accompanied by a civil service system. They know the Federal post-office system has been successful under civil service. They know that the Chicago water office system has been successful under civil service, and in the language of Mr. Boyle, the American consul

at London, that municipal government in Great Britain, where municipal operation and civil service prevail in 100 cities, is honest, intelligent and energetic; and as a rule politics has but little to do with the engagement or retention of civic employes.

"As a matter of fact," continued Mayor Dunne, "the public has more to fear from political intrigue and bossism under private than under public management. Most of the great scandals that have disgraced the public life of American officials have resulted from the bribery on the part of the private companies.

"Who secured the corrupt legislation in the city of St. Louis which landed so many of its aldermen in the penitentiary? Who secured for the Philadelphia council of aldermen in the past and the common council of New York in the days of Jake Sharp, a reputation that is a stench in the nostrils of the people?

"Look back at the notorious Allen and Humphrey bills which passed the Illinois Legislature, and whom do you find back of a corruption fund used to buy up lawmakers?

"What politician could work more harm to public interest than did Charles T. Yerkes, the head and brains of this monster stock jobbing corporation—the Chicago street railway system?

"The public utility corporations are responsible for nine-tenths of the corrupt disclosures in American life today. They are the bribe-givers and faithless public servants, their dupes.

"Why, I can recall only a few years ago when nearly every alderman was granted from 50 to 100 jobs for his friends from the street car companies.

"If this be true, it stands to reason there should be no objection to municipal ownership on the part of any municipality where it is found to be practicable."

The original franchise to use the streets was granted to the Chicago City Railway Company. This corporation, to avoid its obligations, disposed of its franchise on the west side of the city to the Chicago West Division Railway Company. Each company charges a fare of 5 cents. Then was formed the North Chicago Railway Company, with another 5-cent fare added, so that it costs a double fare to go from the north to the south side of the city or from either section to the west side and vice versa.

The Chicago River divides the city into three parts: north, south and west.

Mayor Dunne believes that with the successful operation of the municipal street car system a fare of 3 cents can be furnished from any given point to all parts of the city. But this reduced fare, he says, will depend entirely on the financial conditions of the properties or the ability of the city to establish a low fare basis after the deduction of current expenses and other liabilities.

The story of the rise and fall of Chicago tractions reads like a chapter from St. Louis street car history.

In the methods employed to secure franchises and in the execution of fictitious issues of water stock, both cities present a parallel case.

Each had independent street car lines until a syndicate of speculators acquired control and then the value of the physical property was increased twofold.

In St. Louis, street car properties of the tangible value of $20,000,000 were bonded and capitalized at $90,000,000.

Chicago's stockjobbing street car magnates increased the capital stock of street car companies worth $27,000,000 to $117,000,000.

To obtain concessions for new franchises, the Chicago speculators found it necessary to use boodle in the municipal assembly.

As the investigations, conducted by Mr. Folk have shown, the St. Louis street railway magnates bought the municipal assembly there year in and year out, and finally capped the climax of boodle achievements, when the sum of $1,250,000 was paid by Robert M. Snyder for a 50-year franchise for the Central Traction Company, now part of the United Railways Company.

Snyder gave the assemblymen $250,000 for the franchise. In Chicago the corruption of the assembly was such that the 8,000 citizens marched to the city hall and threatened her faithless aldermen with hanging, if they persisted in their attempt to pass a street railway bill which was backed by a corruption fund of $500,000.

The lobbyists of the newly formed St. Louis street railway combination went to the Missouri Legislature in 1899, and, according to facts obtained by Mr. Folk during an investigation of that deal, spent more than $200,000 to fasten a street car trust on St. Louis.

From Chicago, the traction magnates sent representatives to Springfield and corrupted the Illinois Legislature by the use of a $1,000,000 slush fund.

Street car speculation in Chicago was begun in 1885 by Charles T. Yerkes, who perfected a plan whereby the Chicago West Division Company was merged with the Chicago Passenger Railway Company, both being capitalized at a total of $8,000,000.

Yerkes then formed the West Chicago Street Railway Company and issued capital stock to the amount of $25,000,000, leasing the other two companies to this corporation. Next he acquired control of the North Chicago City Railway Company, a $3,000,000 corporation, and leased its operating rights to a new company, known as the North Chicago Street Railroad Company, with a capital stock of $13,000,000.

In order to get the proceeds of the sales of these watered stocks into his own hands, he organized the United States Construction Co., with P. A. B. Widener and William R. Elkins of New York, as his associates. The construction company did not represent the investment of a dollar.

But it got busy at once and within a short period had made a contract with the North Chicago Company to build a power house and lay tracks.

This involved an outlay of about $3,000,000. Yerkes and his partners got $6,000,000 for the job.

This fictitious debt of $3,000,000 was classed as a liability in the sale of the North Chicago Company to the North Chicago Street Railroad Company.

Yerkes went to Springfield in 1895 to buy the Illinois Legislature. He wanted 50-year franchise for his Chicago companies. His effort failed. Then he started out to elect the next Governor of the State and succeeded. In 1897, he returned to Springfield and renewed his plea for an extension of the street car franchises. This time the lobby was backed by an enormous corruption fund.

The notorious Allen bill, granting the new franchises, became a law. Yerkes sought to induce the Chicago municipal assembly to ratify the Legislature's work.

Again he won, but Mayor Harrison vetoed the bill. Yerkes then tried to pass the measures over the mayor's veto, but force of public sentiment dealt him a knockout blow.

Yerkes saw the handwriting on the wall. Chicago was on to his curves, and knew he could get no further favors at the hands of its assembly.

So he made up his mind to shake the dust of the city of the lakes. Before leaving, however, he executed two or three clever schemes. He put up for sale the west and south side Chicago lines. The franchises of these companies would expire in a few years, and this, added to the wretched condition of the properties, convinced Yerkes that their sale was absolutely necessary. Yerkes gave a glowing account of the street car system and its future prospects to his eastern friends. Wall Street swallowed his sugar coated pill. The wise men of the east bought the Yerkes properties and then organized the Union Traction Company, with a capital of $32,000,000.

The Union Traction gradually acquired a lease on the north and west Chicago and subsidiary companies. Then another $32,000,000 was added to the capital stock of the Union corporation. But Yerkes had more street car property to sell. He controlled the Consolidated Traction Company, capitalized at $15,000,000, and having 90 miles of track. This he compelled the eastern

magnates to take at a price which yielded him a net profit of $6,750,000.

Mr. Yerkes left town and with his departure nothing was further heard of the United States Construction Co.

The financial burdens of the Chicago companies proved too much for its stocks and bondholders. The fact that several franchises would soon expire and the impossibility of paying dividends on the enormous issues of inflated stock led the street car magnates to seek Judge Peter S. Grosscup of the United States Circuit Court, to whom they applied for a receiver, to take charge of the properties of the Union Traction and the north and west side companies.

These companies represent two-thirds of the street car mileage of Chicago and are capitalized at $75,000,000. The only solvent corporation here is the Chicago City Railway Company.

Judge Grosscup appointed four receivers April 22, 1903, each at the munificent salary of $25,000 a year. Among the receivers is the clerk of Judge Grosscup's court.

Judge Grosscup proposed to consolidate the Chicago City Railway Company with the insolvent corporations, and for this purpose visited New York, where he managed to organize a syndicate headed by J. Pierpont Morgan.

This syndicate, February 1, 1905, purchased control of the Chicago City Railway Company, capitalized at $18,000,000. It cost Morgan, Marshall Field and John J. Mitchell, the new owners, $36,000.000.

The companies immediately sought new franchises, but the ballot proved a stumbling block.

In 1901, the Legislature passed the referendum, whereby on a petition of 25 per cent of the voters, a proposition involving a franchise grant is submitted to a vote of the people.

The people turned down Morgan and his crowd by an overwhelming majority.

But the companies maintain the 99-year act still gives them the right to the franchises they now hold. Judge Grosscup has upheld the validity of the 99-year act, but only as to a small part of the mileage covered by the Union Traction system.

Whether it applies to other companies is still a matter for judicial determination.

The fact that Judge Grosscup himself has been enjoined from organizing with Judge Gary of the United States Steel Company, a gas trust in West Virginia, has intensified the criticism frequently passed on Judge Grosscup's attitude toward street car companies.

And as all these things have gone on, the Chicago public has suffered the discomforts of the filthy cars and wretched service.

Where in any modern city today are there horse cars? Chicago has them and they are a positive reproach to her progress and pride.

Instead of improving conditions, the street car magnates have allowed the service to go from bad to worse.

There are three elevated lines which relieve the congestion of the surface road, but the question of the municipality owning them is a long way off.

FOR A COMPULSORY BOARD OF INVESTIGATION.

RECOMMENDATION FOR A STATE BOARD TO SETTLE STRIKES, MAY 21, 1905.

I think it would be a good idea for Governor Deneen, as well as a wise move, in making up the State arbitration committee, to consult the employers on one side and the employes on the other regarding the appointment of two members of the board to represent each side. Then a man should be selected with sufficient intelligence of the points in controversy to acquaint the third man, who would be the umpire, of the facts on both sides from an impartial point of view. The third man should be appointed by the Governor upon consultation with both sides, and such a commission would be one in which the public and both the employers and employes would have the utmost confidence as to their fairness and impartiality.

I think that such a board or court of arbitration ought to have the power to investigate the contracts between the employers and their employes at the time the contracts are made and find out if they were fair and just or if they violated any of the rights of the community. Then after they had taken cognizance of the contract between the parties they should either give it their stamp of approval or disapproval.

This commission should be empowered to bring parties before them to hear and determine who was to blame for the controversy and who was at fault. Then they should make a report to the public, and I believe that such a report would have such a moral effect that both parties would be bound in conscience as good citizens to abide by its findings.

My idea thus would be, first, to determine the validity and the fairness of contracts in labor difficulties, and, second, to find who violated these contracts and report the result of the investigation to the Governor and the people. In fact, it would have all the powers of a court, except to impose fines or imprisonment. It would be a commission of compulsory investigation. There is great objection to a board of compulsory arbitration, but there is not such an objection to a compulsory board of investigation.

The board should have full investigating powers. That was the trouble with the commissions I appointed. They were without proper legal authority and could not compel witnesses to appear before them. The State board should be empowered to invoke the penalties of perjury for false testimony and the punishment of witnesses who refuse to appear.

The State board would also be a great advantage in the prevention of labor troubles. Either side before a struggle is declared could say that the other party has threatened to violate its contract and demand an investigation before a lockout is declared or a strike is called. The power given to the commission to investigate and report would have such a moral effect that it would deter the struggle. The trouble with the present State Board of Arbitration is that it is a voluntary body not authorized under the law to swear in witnesses and conduct a compulsory investigation and permitted only to tender its services to arbitrate the difficulties.

It might not be a bad idea to have the commission composed of five members, two of them to be selected by the Governor, to present the facts of each side. Men like Clarence Darrow and Levy Mayer, who have obtained full knowledge of the situation on both sides, could inform the umpire.

It might also be well for the city council to be empowered by statute to conduct such a labor investigation and to force the testimony of witnesses in any investigation it may undertake.

MAYOR DUNNE WANTS POWER AT COST—CANAL BOARD SHOULD AID CITY.

STATEMENT TO THE PUBLIC, JUNE 26, 1905.

"I think the board of drainage trustees should sell power to the city of Chicago for actual cost to be used for traction purposes only," said Mayor Dunne, in the course of an interview yesterday. "And furthermore, I am in favor of having a plank in the Democratic platform advocating that principle.

"Isham Randolph, engineer for the drainage board, tells me that the drainage canal can furnish 30,000 horse power, but that it would shrink to 22,000 horse power by the time it was carried to the city to be used for traction purposes," said the mayor.

"That is an important item to be figured on in working out the 100-mile scheme for a municipal railway. That power should be furnished the city for just what it costs the drainage board, and no more. That is, the drainage trustees could charge the actual cost at the canal, and the city would stand the cost of transmission. By this means the cost of operating the municipal railway would be wonderfully lessened. This is another argument in favor of the city owning its power plants, and also in favor of the plea that the portion of the sanitary district inside the city should be a part of the municipality. The canal trustees have sufficient power to run 200 miles of street railway in the city, but have not enough to run the entire 700 or 800 miles of road in the city limits.

"I had hoped to have at least an outline of my plans for the 100-mile street railroad of the city ready to be submitted to the local transportation committee of the council at its meeting next Thursday. I am not an engineer myself, and I have been seeking advice from one of the best expert engineers in the country, whose name I do not care to make public now. He is at work on plans for a trunk line system that will come into the downtown section over Adams and Harrison Streets and Washington Boulevard and will have a branch reaching to the stockyards district on the southwest and another branch reaching into the northwest side.

"There will be no legal complications over the use of the Washington Street tunnel, as the term of the present street car

companies that are using it expires next year. I do not care to say what the estimate of the cost of construction of the 100 miles of road is just now. But I can say this—that one of the largest construction companies in the country has already notified me that as soon as the city is ready to accept bids for the work, it will be a bidder. This company has no fears as to the matter of pay from the city.

"The city council tonight will revoke the order for the bids for the ten miles of road, and then arrangements will be immediately begun for receiving bids for the 100 miles. The council has already gone on record as favoring the construction of ten miles of municipal railway and it can not consistently refuse, therefore, to favor the building of 100 miles of road by the city.

"One important feature of this large municipal 100-mile scheme is the power-house. Whether to have one large power-house, divided into sections that could be brought into operation at different times, or to have a series of power-houses is a question that is being considered by the engineers. To operate a system of great length from one power-house might mean a loss of electricity by leakage. But the matter of securing power from the canal will cut a big figure in the plans."

MESSAGE REGARDING WATER RATES.

To the Chicago City Council, June 12, 1905.

To the Honorable, the City Council of the City of Chicago:

Gentlemen: I have the honor to submit to you herewith for your consideration an ordinance in amendation of the present water ordinance.

Two main principles of business policy are involved.

First. The consumer should be relieved of all possible incidental fees and of all possible petty inconveniences.

Second. There should be no discrimination in favor of any class of consumers against any other class of consumers.

In accordance with the first of these principles the new ordinance provides that the city shall bear the expense of the maintenance of all service pipes up to and including the buffalo boxes; that the city shall remit certain incidental fees now charged against the consumer for certain minor and necessary services and that the city shall install all meters at its own expense and through its own employes.

At present the burden of maintaining the service pipes is borne by the consumer. The result is that the consumer must hire private plumbers and that the city must maintain an elaborate apparatus by means of which the work of the private plumbers may be supervised and inspected. It would be easier for the city to do the work itself. Service pipes are part of the city's water plant. So are buffalo boxes. The city should construct and maintain its plant and should base its charges upon the total cost of construction and maintenance. The consumer should come into financial contact with the water bureau at only one point, viz., the payment of his monthly or semi-annual bill for water consumed. All other points of financial contact are exasperating annoyances both for him and for the water bureau.

In accordance with this same principle the city should install all meters at its own expense. At present the consumer pays for the meter, the private plumber makes the connections and the city's meter settlers put the meter in place. This means an excessive number of permits, orders and notices. It means that the work is split up into small parts. It means delay. It means that the consumer is bewildered and distressed. Meters, like service

pipes, are part of the city's water plant. They are part of the expense of providing the consumer with water. It is much easier and much more convenient for the consumer to pay a lump sum for water than to pay innumerable small sums for the installation of the appurtenances of the system by means of which the city gets the water to him.

In accordance with the second principle above mentioned the new ordinance provides that there shall be an equality among all consumers in the matter of rates. The rate suggested is 8 cents per thousand gallons. The enormous rebate now allowed to the 36 large consumers in classes C and D is a favor to persons who together constitute less than one per cent of the total number of consumers using meters.

A rate of 8 cents per thousand gallons would increase the annual revenue of the city by about $145,000. At the same time it would considerably diminish the amount of the payments now made by consumers in classes A and B, who constitute ninety-nine per cent. of the total number. The injustice of the present arrangement is clearly shown by the large savings which the smaller consumers would accomplish under an equality of rates.

The city's additional revenue under an 8-cent universal flat rate will be immediately needed if the increased installation of meters, suggested in the new ordinance, meets with your approval. The final economy of the installation of meters up to at least 40 per cent. of the total number of consumers has been demonstrated by the experience of many cities and has been frequently presented to the consideration of the people of Chicago by our City Engineer.

The new ordinance suggests that some small charge be made upon the charitable institutions which are now getting their water without charge. This suggestion does not spring from any hostility to the charitable institutions. It is made simply for the purpose of stimulating an economy in the use of water. When no charge is made the temptation to extravagance in the use of water is irresistible. Every consumer who gets his water absolutely free is an unchecked drain upon the city's total pumpage.

Permit me finally to revert to the advisability of sparing the consumer all petty minor charges and of giving him in the matter of rates exactly the same treatment that is given to his fellow consumers. These two principles of convenience for everybody and of equality for everybody I hope will commend themselves to you.

Respectfully,

E. F. DUNNE.

PLANS FOR SECURING MUNICIPAL OWNERSHIP.

MESSAGE OF MAYOR DUNNE, JULY 5, 1905.

To the Honorable, the City Council:

GENTLEMEN: The people of Chicago having plainly manifested their desire for municipal ownership of street railroads with the least possible delay, I have diligently sought, since my inauguration as mayor, for the best information and the best advice regarding the subject, and have carefully considered all suggested plans. I now submit to you the results of this preliminary work. Asking your cooperation in further executing the duty with which we have been jointly charged by the people in this connection, I cordially offer you all the additional assistance it is in my power to give.

As I am advised, there are about 700 miles of street railroad track now in operation in our city. The operative rights of private companies with reference to a considerable proportion of this trackage have incontestably expired. Their expiration as to the Adams Street line has been actually adjudicated by the Circuit Court of the United States; and in harmony with the reasoning of that adjudication more than 100 miles of homogeneous trackage, most of which runs through densely populated portions of the city, is already free from corporation control, and 240 miles in all of like character will be free within the next two years. At varying intervals there will be further additions to this system, and within six or seven years a great majority of all the 700 miles of trackage now in operation, will be incontestably subject to municipal ownership.

But that is not all. My legal advisers are confident, and this confidence is shared by me, that a rule more favorable to the city than that adopted by the Circuit Court will be established by the court of last resort. In this event, the 240 miles of trackage incontestably at the free disposal of the city now and within the next two years, will be greatly increased within that time. Confident of this increase, as we are, we must expect strong and persistent opposition, and be ready to cope with much dilatory litigation and other vexatious obstructions. The financial interests at stake are so vast and aggressive that public interests are in

jeopardy and, at this critical juncture, the rights of the city may depend upon the fidelity of your honorable body. To the patriotic devotion of every member in this behalf I am sure the citizens of Chicago may look with confidence.

While in litigation, we vigorously oppose the rights of the city to the claims of corporations that have been and continue to be persistently indifferent to their franchise obligations, we have official duties that cannot be ignored regarding the trackage over which corporation rights have incontestably expired. This trackage being already available for municipal ownership, our duty is plain to bring it speedily within the scope of that policy.

We are occasionally referred in this connection to the so-called "tentative ordinance". But that ordinance cannot be further considered without flagrantly disregarding public opinion lawfully expressed. Alike by advisory referendum and the mandate of a decisive municipal election, the people have distinctly and emphatically condemned it both as to form and principle.

Turning, then, to their demand for municipal ownership, I submit for your consideration two plans to secure this result. One of these plans attached hereto and marked "A" may be briefly identified as "the city plan"; the other, also attached and marked "B", may be distinguished as "the contract plan". These are the only plans of which I am advised, that commend themselves to my judgment; and of the two, I prefer the second. The reason for this preference is its manifest superiority as a means of accomplishing the object in view, namely, the earliest possible installation of good service and the establishment of municipal ownership of the entire street car system of Chicago.

In view of the extreme need for immediate improvement in our street railway lines, reduced to the lowest level of bad service by the system of private ownership and operation which has prevailed, every element of delay in rehabilitation is to be avoided as far as possible, with due regard for the street railway policy that the people demand and for which the Mueller law provides. Under the "city plan" there are many elements of delay which may possibly be magnified by factions' oppositions. But under the "contract plan", which is equally consistent with the Mueller law and the policy of municipal ownership and operation, all elements of delay are eliminated.

Financially as well as legally, this plan would be immediately practicable. It would consequently enable us to proceed at once with reconstruction, under circumstances assuring as good service and at as early a day as the best conceivable system for private profit could provide. Yet the rights of the city to take over, and even to operate, would be neither impaired nor postponed. As

soon as a market for the Mueller certificates had been secured, the city could acquire the system in its own right and its own name; as soon as the people had, by referendum under the Mueller law, so decided, the city could proceed to operate by its own employes.

Most of the advantages of municipal ownership and operation would thus be immediately secured. There would, therefore, be no delay in realizing that policy in substance even while such judicial, financial, legislative and referendum proceedings were being taken as might be necessary to perfect it in form, or to guard it by business adjustments against encroachments of the spoils system.

The "contract plan" provides in effect for what the Mueller law contemplates and the people have demanded,—immediate municipal ownership of the street car service. It provides for this system of street car service under the management of a board of directors in its preliminary steps, and without the intervention of such board as soon as the city raises the necessary capital and complies with the statutory requirements.

In furtherance of this superior plan, I present herewith for your consideration and action, a draft ordinance, attached hereto and marked "C", and recommend the appropriate proceedings by your honorable body for referring it to your committee on local transportation. I further recommend public hearings before your committee for the purpose of considering objections to the proposed ordinance and the fullest explanation and exposition of its purpose and provisions, and the consideration of such amendments not in conflict with its essential features as may be deemed proper and necessary for the interests of the city of Chicago. I also recommend that pending final action upon this ordinance, the council provide for securing the submission to the voters of Chicago, at the next general election, under the advisory referendum statute of the "contract plan" for the execution of which the proposed ordinance has been drafted.

"A"

CITY FINANCING PLAN FOR THE CONSTRUCTION AND OPERATION OF A MUNICIPAL STREET CAR SYSTEM FOR THE CITY OF CHICAGO.

This plan, to be known for convenience of reference as "the city plan," contemplates the construction and operation of a municipal street car system for the city of Chicago, through direct financing by city officials.

The legal authority for "the city plan" is derived from an act of the Legislature entitled, "An Act to authorize cities to acquire, construct, own, operate, and lease street railways and to provide the means therefor," approved May 18, 1903. It is commonly known as the "Mueller law," and became operative in the city of Chicago through its adoption by a majority of the electors of this city at the municipal election of April, 1904. Having been so adopted by the people of Chicago, this act of the Legislature empowers the city of Chicago "to own, construct, acquire, purchase, maintain, and operate street railways within its corporate limits."

In order to effectuate the purposes of the act in these respects, the following steps are necessary, as I am advised by the law department of the city:

First. Particular plans and specifications relative to the systems and lines intended to be constructed or acquired must be prepared.

Second. The city must advertise for proposals for the construction or acquisition of the system in accordance with such plans and specifications.

Third. The construction or acquisition of such systems must be contracted for by the city with the lowest bidder under such proposals.

Fourth. Owing to the relation of the present bonded indebtedness of the city of Chicago to the present taxable valuations therein, payment for such acquisition or construction cannot be constitutionally made with further bond issues; wherefore, payment must be provided for with street railway certificates, payable out of the revenue of the property to be constructed or acquired, which are allowed by section 2 of the act in question. This necessitates the adoption by the city council of an ordinance providing for the issue of such certificates in accordance with the terms of the act.

Fifth. Such ordinance must be submitted to a popular vote. and must be approved by a majority of the qualified voters of the city voting thereon at a general, city, or special election in and for the entire city, to be designated by the council and coming not sooner than thirty days from and after the passage of the ordinance.

Sixth. When such an ordinance has been so approved by popular vote, street railway certificates may be issued in an amount not exceeding the cost to the city of the property acquired for such street railway system, and ten per cent in addition thereto; and payment thereof, with interest, may (and practically must) be secured by a mortgage on such property, inclusive of a twenty-year franchise with fixed rates of fare to inure to purchasers in case of foreclosure.

Seventh. In order to secure the best possible price for such certificates it will be necessary to establish the legal validity thereof through a test case by decision of the Supreme Court of the State.

Eighth. Having thus acquired right of ownership in the proposed street car system, the city would still be without legal authority to operate the same, but would be obliged to lease it for private profit to private corporations, unless further steps were taken. In order to utilize the authority, conferred by the act in question, and secure complete public ownership and operation, it would be necessary for the city council to provide for the submission to popular vote, at a general, city or special election in and for the entire city and coming not sooner than thirty days from and after the passage of said ordinance, of a proposition to operate.

Ninth. Such proposition would then have to be approved at the election so designated, by three-fifths of the electors of the city voting thereon.

In view of these statutory requirements, as preliminaries to municipal ownership and operation of the street car systems of Chicago, and especially of the vexatious obstacles which those requirements might enable adversaries of this popular demand to interpose at every stage, I am constrained to recommend this plan of procedure, designated above as "the city plan," only in the absence of a simpler and more expeditious plan calculated to produce the same result; and I am firmly of the opinion, so far as I am at present advised, that the contract financing plan, herewith submitted alternatively, and briefly designated as "the contract plan," meets that requirement.

"B"

CONTRACT FINANCING PLAN FOR THE CONSTRUCTION AND OPERATION OF A MUNICIPAL STREET CAR SYSTEM FOR THE CITY OF CHICAGO.

This plan, to be known for convenience of reference as the "contract plan," contemplates the construction and operation of a municipal street car system for the city of Chicago through the instrumentality of a private corporation acting in the city's interest.

Pursuant to the "contract plan" the city council would build, acquire and operate street railroads through the instrumentality (for financing, acquiring, constructing and operating) of a private company composed of five men who command the confidence of the people of Chicago, for their personal integrity, their business ability and their pronounced sympathy with the policy of municipal ownership of street car service, such corporation to be bound by contracts, insuring the performance of their

undertaking wholly in the public interest. The principal steps which I regard as necessary to the most effective execution of this plan are as follows:

First. The incorporation of a company under the laws of Illinois, by five persons, well known to the people of Chicago as possessing the necessary qualifications noted above. This company to be incorporated for the express purpose of building, acquiring, and operating street railroad lines in Chicago in the interest of the city, and to have the power to issue capital stock to secure the money necessary to build, acquire and operate such property. The capital stock to constitute the only incumbrance upon the property, and its amount to be limited to the actual cost of the property. Dividends upon the capital stock to be limited to five per cent per annum.

Second. The granting by the city council to such company of duly guarded franchises to acquire, build and operate street railroads on designated streets between fixed termini for a period of twenty years, at 5-cent car fare with appropriate transfers, and with a reservation, on the part of the city, of the right to take over all or any part of such road, at any time, at the price and upon the terms to be contractually specified in execution of this plan.

Third. The directors, president, and manager of the said company to be compensated, until the city takes over the property, with salaries to be approved by the city council.

Fourth. All expenditures, contracts and specifications for the building or other acquisition of street railroad properties by said company to be approved by the city council before being incurred or executed by the company.

Fifth. During the operation of the lines by this company, the city council to have the right at any and all times, fully to inspect its business, and also to reduce fares below the franchise rate to the extent of one-half the net earnings of the property, in excess of operating expenses and dividends; all the net earnings to be set aside as a purchase fund for the acquisition of the property for the city, or to be used in the betterment of the property, as the city council may from time to time direct.

Sixth. In order to secure to the trustee directors the control of the property, and to preserve to the city the unobstructed right at any time to acquire such property in accordance with this plan, the capital stock of the company should be issued in trust to a trust company to be selected by the directors with the approval of the city council, which trust company should issue on the basis thereof an equal amount of marketable trust certificates to the company for the purpose of obtaining capital by sale there-

of, and hold the capital stock in trust to preserve the control of the aforesaid trustees for the management of the said street car lines and the consummation of this plan for securing municipal ownership and operation. The said trust company should be required to sell the stock of the said company, as represented by said certificates, by public subscription, duly advertised. In the event of over-subscription, it should be required to make allotments in the order of the receipt of subscriptions. In the event of under-subscription, the directors should be authorized to contract for the underwriting of the entire offering at a cost not to exceed two and one-half per cent, and the chosen trust company and any of the directors should be at liberty to become underwriters.

Seventh. Upon the payment to the aforesaid trust company by the city of Chicago of an amount equal to the cost of the property, less the accumulated amount of the sinking fund hereinabove provided for, the said trust company should be required, by the preliminary contracts, to use said sum so paid, together with said sinking fund, in such way as to redeem all outstanding certificates issued by it upon the security of the capital stock of said proposed street car company and to use the said capital stock, held by it in trust, in such way as to transfer all the street railroad property of the said street railroad company immediately to the city of Chicago for direct municipal ownership and operation.

The superiority of this plan over the "city plan," herewith attached for comparison, is manifest. It requires the passage of only one ordinance by the city council; it provides for supervision and control by the city council from beginning to end; it precludes excessive profits by making the company and its directors trustees of all profits over 5 per cent for the city, and it obviates the necessity for delay in rehabilitation, while referendums are taken and the validity of the street railway certificates is tested in the courts. Yet, while establishing virtual immediate municipal ownership and operation, it secures the right of the city to actual municipal ownership and operation as soon as the validity of the certificates shall have been tested and the people shall, by the referendum required by the Mueller law, have decided to act. By means of this plan the municipal street car system can be put into condition for first-class service, on the lowest level of cost, during the time when the various legal preliminaries to actual acquisition and operation by the city are being perfected, and yet without prejudice to the acquisition immediately upon the completion of those preliminaries. With such a plan available, it seems to me quite impossible to recommend the "city

plan'' in preference, without stultifying my sincere and often-expressed desire to secure good service and municipal ownership and operation at the earliest practicable moment. I am confident that the people may rely upon the city council also to prefer the ''contract plan.''

PLANS OF MAYOR DUNNE FOR BUILDING NEW STREET RAILWAY SYSTEM.

STATEMENT TO THE PUBLIC, JULY 8, 1905.

"It may be possible for the committee to hold daily sessions until this matter is disposed of," said Mayor Dunne yesterday. "I wish to have it settled, ready for the reassembling of the council in September. Several members of the committee have talked with me today, and I hope we can agree upon a program in a short time.

"In proposing to give a franchise to a private company for twenty years, are you not violating the public will, as expressed in the referendum vote against any franchise to any company?" Mayor Dunne was asked.

"Yes, in the letter, but not in the spirit," was the Mayor's reply. "The vote had reference to franchise granted to private corporations for profit. The holding corporation that I propose will not be for profit, except that men putting up the money to build the roads will get 5 per cent interest until the city can take the property.

"I am proceeding in accord with the platform on which I was elected, which promised that negotiations should first be tried with the old companies; if these failed, I was to attempt to secure municipal ownership in the most practicable way possible. We have tried negotiating, without success; now the best course open is to build a new system."

"Have you any calculations as to how long it probably will be before the city can take over the lines?"

"That depends on a great many things. First of all, the Mueller law must be tested, and that probably will take until next spring. Then arrangements must be made for disposing of the certificates, and there must be a referendum vote on their issue. I am informed that the proposed system probably can be completed in two years, and perhaps by that time the city will be able to take the property."

"There apparently will be a good profit in building the lines," was suggested to the mayor.

"Yes," he replied, "there doubtless will be a profit for the contractor, but not for the directors of the company, who will be

selected for their friendliness to municipal ownership, as well as for their business ability, and who will not let the contracts. That will be done by the city council."

ON CITY OWNERSHIP OF PUBLIC UTILITIES.

ADDRESS BEFORE THE BOSTON TAMMANY CLUB, JULY 29, 1905.

Mr. Chairman and Gentlemen:

As a sample of the misrepresentation and mendacity which has characterized the press and the news agents in their opposition to municipal ownership, let me read from the Des Moines Register of July 6, in great "scarehead" lines, as follows:

"Mayor Dunne quits fight on street cars. Will favor franchises to friendly corporations. He throws up his hands. Leaves his platform after three months. Believes plan a failure. Overthrows his electors and turns in favor of corporations who fought him."

Similar dispatches, I am informed, have been published in all the influential papers of the country and I have been in receipt of numerous letters, calling my attention to these misrepresentations and asking me as to their truth. Let us see what the facts are.

In my speech of acceptance to the convention, after pointing out that the Mueller law certificates could be utilized for the purpose of raising money to either buy out the present traction companies or to build new lines, I made use of the following language:

"There are other ways, outside of the issuance of the Mueller bill certificates, under which the city could provide means for the purchase of the present street car system or for the building and equipment of new ones. If the city were to offer to a syndicate of capitalists a lease of the car system of the city, providing the syndicate would furnish ready capital for the purchase price of the same, under the terms of which lease the syndicate, so furnishing such money, should retain and operate such roads under lease, by the terms of which they should first pay themselves 5 per cent upon the money invested and, secondly, provide a sinking fund for the payment of the capital invested; and, thirdly, pay reasonable compensation to the managers of the street car system leased by such a syndicate while operating the property, and after the payment of said liabilities then turn over to the city of Chicago the road free and clear from liabilities, I have no reasonable doubt that wise and prudent financiers would regard such

a lease, terminable only at the time when they received their capital and interest at 5 per cent, as adequate security for the investment. But, if such a syndicate of capitalists would not be willing to do this, there is no question in my mind that, if such a lease were tendered to a corporation, organized for the purpose of leasing and operating the street car system of the city of Chicago, under such an arrangement upon the understanding that the management of the same was to be placed in the hands of competent railway men at decent remuneration, the depositors in the savings banks of Chicago, who are drawing but 3 per cent interest on their investment, would be very glad to back any company organized for such a purpose and under such a management and exchange their deposits for stock bearing 5 per cent interest."

Following the method outlined in that, my speech of acceptance to the convention, on the 5th of this month, within three months after my election, although I was embarrassed with the most extensive, exasperating and widely prevailing strike that has hampered and hindered Chicago for many years, I submitted a plan for municipal ownership along the foregoing lines.

Accompanying this message, I submitted the form of an ordinance to the council, providing for the incorporation of a company of five persons, well known to the people of Chicago who would command the confidence of the people for their personal integrity, their business ability and their pronounced sympathy with the cause of municipal ownership. The ordinance provides for the granting to said directors of a safely guarded franchise to equip, build and operate street railways. All expenditures, contracts and specifications, however, to be approved by the city council, and the right was reserved to the city to at all times inspect the company's books. The ordinance further provided in rigid terms that the said corporation could have no profit except the return of the capital invested with 5 per cent and provided that all earnings over and above this amount shall be paid into a sinking fund to the credit of the city.

This plan was adopted upon consultation with both able financiers and some of the truest and most reliable friends of municipal ownership in Chicago and elsewhere. It was and is a practical short cut to municipal ownership and I believe will commend itself to the good judgment of all the friends of municipal ownership.

Since I have been inducted into office we have, by the vigorous action of our law department, succeeded in dissolving an injunction which prevented our taking possession of any portion of the lines of the present traction companies whose franchises have expired. We

have instituted quo warranto proceedings, in the name of the people, under which the traction companies will be compelled to disclose all their rights and which, in my judgment, will be passed upon adversely to most of their rights in the Supreme Court of the State within the next six months. The transportation committee of the city council has called upon the present roads to name a price for their property and they have refused to come down to definite figures and we are proceeding vigorously to map out a municipal line running through the heart of the city of Chicago which, if built, will not only furnish adequate transportation facilities for one-third to one-half of the people of that city within the next two years, but will, in my opinion, prove so remunerative as to pay for its construction inside of ten years.

The cause of municipal ownership in Chicago, instead of lagging or dropping by the wayside, is being furthered vigorously and steadfastly. The demand of the people is being responded to. The fight between vested interests and the people is well under way and, backed as we are, by public sentiment and the righteousness of our cause, I have no fears of the ultimate result. That we will have litigation and every other sort of obstacles thrown in our way by the private companies and the capitalistic syndicates of New York and Chicago, is to be expected. But the wave of public sentiment in favor of the ownership of these utilities is sweeping headlong over the land. It first manifested itself in the great city by the inland seas. But it is sweeping steadily and irresistibly over the whole country.

Chicago is in earnest and when she says, "I will" today, she will say, "I have done" tomorrow. That tomorrow, in my opinion, will be but a few months away. It may be longer, but the resistless force of public sentiment cannot be withstood. Chicago can and will accomplish what Glasgow, Liverpool, Manchester, Leeds, Sheffield, Hull, Aberdeen, Cardiff, Dundee, Sutherland, Berlin, Vienna and Milan and hundreds of other great cities of the world have done.

But when Chicago has accomplished in the way of the municipalization of its street railway systems what I predict it will accomplish, it will not, I regret to say, have the proud distinction of being the pioneer city of America to municipalize its street car systems. For within the last few days, I have read in the Toronto World, July 12, 1905, that Port Arthur is a town in Canada that so firmly believes in municipal ownership of public utilities that it owns its own electric railway, telephone and electric light systems.

Although Chicago is the pioneer in many things; although it is the nerve center of America; although it accomplishes many things that other cities have yet to achieve, it must bow down in homage to a little Canadian city on Lake Superior, which in the

year 1905 is owning its own electric railway, telephone and electric light plants.

I confidently predict, however, from what I know of the people of Chicago, that it will not lag much longer behind and that within a very short time it will have the proud distinction of being the first city in the United States to be in actual ownership of its own municipal street car system, and when once that great city has proved that municipalization of street car plants is an assured success, it will mean that hundreds of other American cities will follow in her wake and accomplish an economic revolution to the great advantage of the citizens of this country.

FAVORS VOLUNTARY ARBITRATION OF LABOR DISPUTES.

ADDRESS ON LABOR DAY, SEPTEMBER 4, 1905.

Mr. Chairman and Gentlemen:

In England, during the fourteenth century the laboring man's wages were fixed by law in a Parliament where he had no representation and it was a criminal offense for a laboring man to leave the county in which he dwelt without a letter patent under the king's seal expressing the cause of his going and the time of his return. To take more or less than the legal wage, imposed upon a laboring man a penalty of forty days imprisonment.

In the fifteenth century, the justices of the peace were empowered to send writs to the sheriffs of counties for fugitive laborers in the same manner as those sent for felons or thieves. In the same century, it was held a criminal offense for workingmen to meet and confederate. Persons refusing to labor were committed to jail and their masters were entitled to a fixed fine to be imposed upon them. In the same century, under Henry the Eighth, a laboring man, found out of employment, could be sentenced to be tied to the end of a cart naked and beaten with whips till his body be bloody by reason of such whipping, and this punishment appearing not to be satisfactory, they were afterwards condemned to have a piece of their right ear cut off.

Even in the eighteenth century, under George the Second, in the case of a dispute between a laborer and his employer, if the laborer were found guilty of ill-behavior, he could be sentenced to whipping and imprisonment for not to exceed a month. As late as 1823, in the same country, if a laborer refused to enter employment, as agreed upon, or quit before the time of his employment had expired, he was subject to imprisonment in the house of correction for a term, not exceeding three months. This was the law as late as 1867 in England. In 1875 the British Parliament passed an act known as "The Employers' and Workmen's Act," which the Prime Minister declared was the first act in the history of the country which enabled employer and employe to sit under equal laws.

It is well to contemplate the rapid progress that has been made in the labor world from this legalized savagery and injustice up to the station which labor now holds in the industrial world.

Great Britain is supposed to have been, during the last couple of centuries, one of the most civilized countries on the earth, and if the laboring man's position was such as we have just found it to be in that country, what must it have been in the other countries of Europe?

Today we are engaged in celebrating a holiday which by the statute of this State is dedicated to signalizing the dignity of labor. Labor Day, by the laws of the land, is placed in the same category as the holidays on which we celebrate the birth of the Nation and the birth of Christianity. The march of progress has resulted in declaring that the product of brain and brawn, of mind and muscle, is not the mere result of mastery of one man over another, but is the result of an exchange of commodities by virtue of contract and that labor, as well as capital, has its rights and must have its protection under equal laws.

In more recent years, the march of events has demonstrated that the hours and price of labor are not always fixed and cannot always be fixed by legislation or contracts between individuals. The twentieth century is the age of amalgamation, of consolidation and of cooperation. The price and hour for labor and other conditions under which labor works are now largely fixed, not by individual contract or by legislation but by treaties between great consolidation of employers on the one hand and great consolidation of employes on the other. Capital has consolidated, as it has the right to do. Labor has consolidated, as it has the right to do. And as a result, great combinations of employers meet with great combinations of employes and, by agreement or treaty between these great consolidations, the hours and price of labor are now fixed in the industrial world.

It is idle to discuss how or what circumstances have brought about these great industrial consolidations which have compelled the making of contracts between great bodies on both sides. These combinations are here and it would appear from the tendency of modern times, they are here to stay. Such being the case, it is probably proper for us to discuss, in the interest of good government and good order, the elements which should be incorporated in such agreements or treaties under which wages are fixed and hours determined.

No matter how carefully such agreements may be drafted and entered upon, it is not always possible to provide for contingencies that may arise in the future, and where disagreements do arise between employers and employes, it has been unfortunately the case that either the strike or the lockout has resulted, and strikes and lockouts entail serious consequences to both parties and entail very frequently great burdens upon the general public. It is the

part of wisdom then, both on the part of employers and employes in entering into agreements or treaties under which the hours, wages and conditions of employment are fixed, to provide in all cases that, whenever a dispute arises with reference to the interpretation of the contract or with reference to new exigencies arising thereafter, all such disputes should be settled by an agreed board of arbitration. Such a provision entails no sacrifices of dignity and its incorporation in the contract or treaty must necessarily give an opportunity to either or both parties to the contract to avoid the resort to such a war measure as a strike or a lockout, and when such a provision is incorporated, as I am glad to see it frequently is in labor contracts, it should be the bounden duty of every organization, corporation and individual party to such a contract to see that it is religiously observed. The individual, corporation or association which makes such an agreement that would repudiate its terms, ought to be regarded as unfit to deal with in all future contracts.

Labor and capital will both make themselves respected by a strict adherence to their contracts and must injure themselves, in the estimation of the public, by a repudiation of such provisions. Therefore, do I say, men in the industrial world, whether you be employers or employes, in all your contracts relating to the employment of labor, be sure that you have a provision which provides for the arbitration of all disputes, and when you have such a provision and disputes arise, follow the terms of your contract without resorting to the strike or the lockout.

In nearly every other affair of life outside of the difficulties between capital and labor, the law provides legal tribunals, which are simply courts of arbitration. A man must arbitrate, under the law of this State, whether the bonds which bind him in matrimony shall remain in force or be loosened; whether he shall have the custody of his own flesh and blood; whether he shall receive aught under his father's will; whether he shall be a prisoner or a freeman. Why not, then, provide voluntarily for tribunals of arbitration in matters relating to the employment of labor? I am not advocating a compulsory arbitration law but I am most earnestly advocating voluntary arbitration in all matters of industrial disputes.

The laws of this State and of other states encourage arbitration. In some countries, it is made even compulsory. While I am not prepared at the present time to advocate compulsory arbitration of industrial disputes, I am of the opinion that our law creating a State Board of Arbitration might be wisely amended so as to permit of action by the said board upon the application

of the Governor, the mayors of cities, or by any considerable number of citizens not engaged in an industrial controversy.

Under the law, as it at present stands, no finding can be made by the Board of Arbitration with reference to the merits of any controversy, unless either or both parties to the controversy make written application to the board and file with the said board an agreement to continue in business or at work without a lockout or a strike until the decision of the board is rendered. Individuals and corporations, in the heat of controversies, are frequently so headstrong and unreasonable as to decline to make such applications or agreements. The general public is compelled to stand by and see these lamentable industrial struggles carried on to the injury of the whole community.

It would seem to me the public itself, or its duly elected officials, ought to be permitted, through the State Board of Arbitration, in all such disputes, to take evidence and ascertain the cause, the origin and the merits of the controversy, even if the board does nothing but publish the result of its investigation. If such powers were given to the State Board of Arbitration to act upon the request of public officials or the request of a large number of disinterested citizens and to compel the attendance of witnesses and the production of papers under oath, and publish its findings, it would tend to discourage many of the controversies that unfortunately arise between capital and labor.

The world has just witnessed the glorious spectacle of the President of the United States bringing about the cessation of the greatest war of modern times. The same spirit which actuated this great man should find a place in the hearts of his fellow citizens in the endeavor to avoid such lamentable struggles as have occurred in the labor world in recent years.

W. J. BRYAN.

ADDRESS DELIVERED AT THE JEFFERSON CLUB, CHICAGO, SEPTEMBER 12, 1905.

Mr. Chairman and Gentlemen:

We have met tonight to do honor and wish bon voyage to our distinguished and admired guest, Colonel Bryan. Wherever Democrats assemble throughout the length and breadth of this great country, the presence or name of our distinguished guest is ever received with enthusiasm and acclaim, and nowhere within the United States has he received, or will he continue to receive, a more cordial reception than in the city of Chicago.

We admire the man because we recognize in him the first great figure in the national life of the Nation that opened war upon monopoly and special privilege in 1896. We admire him because, when in 1900 he was tendered the practically unanimous renomination for the Presidency—an honor for a defeated candidate seldom if ever before accorded in the history of the country—he had the courage and loyalty to his convictions to refuse that nomination unless the platform on which he was to run reenunciated the convictions and principles which he believed to be right and for the best interests of the people of the United States.

We admire him even more because of the fact that in 1904, although he was in a decided minority in the great national convention at St. Louis, he had the courage to stand forth and denounce, within the conclaves of his own party, the acts and doings of men that he believed to be a fraud upon the electorate and a scandal to Democracy. We admire and respect him because at all times and under all circumstances and in every place in which he found himself, he has stood for purity in politics and placed man before mammon.

Whether in victory or in defeat, he has always stood for the right, and the man who so acts must always earn, as he has earned, the respect and confidence of his fellow countrymen. And now that he is leaving us for a trip abroad, our good wishes go with him and we ask him in his travels abroad, to note well the advantages and disadvantages of governmental institutions and to bring back to us the benefits of his observation and experience.

WILL VETO CERTAIN STREET RAILWAY FRANCHISES.

STATEMENT TO THE PUBLIC, SEPTEMBER 28, 1905.

I believe I have my thumb on the public pulse. The council will feel the beat of that pulse before it gets through. The meetings at which I have spoken during the past week have satisfied me that the people are with me. Some of the demonstrations were extraordinary, especially the meetings held last night.

I meant what I said at those meetings. I repeat that if I am wrong, let the people turn me out. If the council is wrong, turn it out.

I have been informed that the council will attempt to pass the tentative ordinance. I shall veto it of course. If I failed to do so, I ought to be driven out of town, after the stand that I have taken on municipal ownership.

I believe, however, that some of the councilmen will see a great light before long, if they have not seen one already. Their constituents will begin to pour a few hints into their ears. The city government is double barreled, as I said in my speech, and I trust that the council barrel will line up with mine. When it does we will be able to start building a power house in preparation for a municipally owned railway.

One misapprehension that I want to correct is the idea that I have set any definite time in which municipal ownership can be obtained. There have been various statements on the subject. I was quoted as declaring in an alleged speech in Cleveland that municipal ownership was a possibility within five months. I never made a speech in Cleveland. I prefer to have no dates mentioned. It is impossible to say at just what time the people of Chicago will be riding in their own municipally owned street cars. That depends on how the council acts in the matter.

It will take about two years to build a power house. As far as trackage is concerned, it is as simple a matter to build 700 miles as seven. It is simply a question of men.

I am afraid that the loop ordinance will not be in a condition to submit to the councilmen tomorrow. My attorneys inform me that there are some legal hitches to contend with. I have practically decided to defer taking the initiative in traction matters. I want to give the local transportation committee time to act.

WHAT CHICAGO NEEDS TO BECOME GREAT.

ADDRESS DELIVERED AT THE MAYOR'S DINNER, OCTOBER 7, 1905..

Mr. Toastmaster and Gentlemen:

Your organization initiates tonight, under the name of the "Mayor's Dinner," an annual celebration of Chicago day, that day being intended as an anniversary of Chicago's great fire of October 9, 1871. It is your intention, as I understand it, to commemorate, on each October 9, the great fire of Chicago by the giving of a public banquet to be known as the "Mayor's Dinner," at which the merchants and business men of Chicago will meet with the executive of the city and the heads of its departments for the purpose of bringing about a closer relationship between the political government of Chicago and its business interests. In my judgment, your object is a commendable one.

The merchants and business men of a great city should at proper times confer with its political officers, give free and full expression to their views with relation to the general good of the city, and encourage an expression of views from the city officials with reference to its political and commercial welfare. The mayor of a great city and the heads of its departments should, on proper occasions, be ready to interchange a free and full expression of views with the commercial interests of the city and to impart and receive information which may redound to the good of the municipality.

Understanding that this is the object of the annual "Mayor's Dinner," which is inaugurated tonight, I am pleased to be present and to meet so many of my fellow citizens who stand high in the commercial world of the city of Chicago. Next to his country, every citizen, dwelling in a city, should have the particular interests of his city at heart. And I have yet to meet a Chicagoan who is not proud of his city—proud of its past history, proud of its present and hopeful and sanguine of its future.

We are met tonight to consider primarily what is for the best interests of this great and growing city; what are its drawbacks, if any, and what measures we can devise and further to insure its future development and prosperity.

Chicago, in my judgment, is the greatest city of America, not in population or in wealth, but in energy, activity and vitalized ambition in both commercial and economic directions. It is the nerve center of America from which pulsates and throbs the advanced thought and energy of the American people. It is a city of palaces and of hovels, a city of churches and of charnal houses, a city of millionaires and mendicants, into which has poured the children of every race and clime upon earth, and it has been rapidly assimilating all classes of people into good American citizenship. It is the theatre of political action. It is the center of political economic thought. It is the city of courage and determination.

We all love Chicago and heartily wish for its future prosperity and development. You men, leaders in the commercial world of Chicago, are anxious to attract to it the trade and commerce of the Northwest, and I am heartily desirous, and I know that the officials of the city of Chicago are equally desirous, of aiding your wishes in that direction and no stone will be left unturned to assist you in benefiting this city which we love and in which we dwell.

We should encourage in every possible way the holding of commercial, fraternal and other conventions in this city. We should advertise the advantages and resources of our city in every possible direction. Because of our magnificent location in the center of the Northwest, because of our magnificent railway and water facilities, we ought to be able, and we are able, to sell merchandise of every character in this city upon as economical a basis as any city in America.

But there are other needs and requirements of the city of Chicago besides its commercial needs and requirements. We are commercially great and we must become commercially greater. But we must also become morally and politically great as well.

You, gentlemen, engrossed in great commercial enterprises, may not have time, and possibly do not have time, to reflect upon the political needs of Chicago.

Chicago suffers from an economic standpoint in many vital particulars. We suffer sorely from an inadequate revenue to improve our streets, to police our city and to give efficient fire and sanitary protection to our citizens, and, in general, to properly run the municipal government. Let me call your attention to a few figures to substantiate this statement.

In the past we have been unable to raise sufficient revenue to properly run the municipal government. This is shown by the fact that the total debt per capita for the city of Chicago is a little over $28, while that of New York is $143, of Philadelphia

$42, of St. Louis $39, of Boston $148, of Baltimore $75, of Cleveland $53, of Buffalo $51, and of Pittsburg $76. Of the ten largest cities in the United States, the total debt per capita in Chicago is less than that of any except San Francisco.

The general property tax per capita in Chicago in 1904 was $9.32, while that of New York was $19.36, of Philadelphia $13.37, of St. Louis $13.88, of Boston $28.01, of Baltimore $11.16, of Cleveland $12.49, of Buffalo $11.48, of San Francisco $13.12, and of Pittsburg $15.20. In other words, the general property tax of Chicago is less than that of any of the ten largest cities in the United States. Is it at all surprising that, with such scanty revenue in the past and at present, the city of Chicago presents comparatively unclean and dilapidated streets to the strangers within our gates?

The administrative government of the city of Chicago during the last year was able to expend only 79c per capita of its population to run the municipal government, while New York spent $1.84, Philadelphia $1.54, St. Louis $1.27, Boston $2.22, Baltimore 90c, Buffalo 98c, San Francisco $2.17, and Pittsburg 90c. Only one of the ten great cities of the United States expended less for the general administration of its government, and that is the city of Cleveland.

Ought you to reasonably expect the police force of the city to adequately protect your lives and property when you are informed that there are only 68 policemen in Chicago to every hundred miles of streets, while in New York there are 304, in Philadelphia 151, in St. Louis 128, in Boston 186, in Baltimore 79, in Cleveland 126, in Buffalo 118, in San Francisco 89, and in Pittsburg 106? Chicago should have at least one thousand additional policemen to properly police the city.

Ought you to reasonably expect to have as efficient fire protection in the city of Chicago, where the expenditure per capita is 94c, as you would have in a city like New York, where they spend $1.57 per capita, or in Philadelphia where they spend 90c, or in St. Louis where they spend $1.41, or in Boston where they spend $2.21, or in Cleveland where they spend $1.47, or in Baltimore where they spend $1.74, or in San Francisco where they spend $2.74, or in Buffalo where they spend $1.47, or in Pittsburg where they spend $1.58? You know that it is unreasonable and that it cannot be expected.

Have the citizens of Chicago the right to expect that its sanitary department could be efficiently and properly managed when the appropriation made per capita is 8c per annum, while New York spends 34c, Philadelphia 25c, St. Louis 24c, Boston 32c, Baltimore 18c, Cleveland 18c, Buffalo 10c, San Francisco 27c, and

Pittsburg $1.02. And yet, strange to relate, the death rate in Chicago is the lowest of any of the ten great cities in the United States.

To further emphasize my claim that the city of Chicago is most inadequately supplied with the means of running a municipal administration, I would call attention to the fact that the total payments for general municipal purposes per capita for the last year in Chicago were $10.87, while that of New York was $23.37, Philadelphia $14.58, St. Louis $16.35, Boston $33.27, Baltimore $13.13, Cleveland $13.40, Buffalo $14.02, San Francisco $17.34, and Pittsburg $15.84.

The crying need of Chicago at the present time is for an adequate revenue to enable it to have an efficient police force, an efficient fire department and well equipped bureau of health, an efficient department of public works and a general adequate equipment of its other departments. This lack of revenue arises from two causes: first, the limitation upon our bond issuing power, and second, from the fact that, for some reason or other, much of our property escapes taxation.

Chicago needs greater revenue equitably distributed over its property owning citizenship.

And yet, while Chicago has a much smaller per capita revenue than any of the other great cities of the United States and while it is crippled financially, an immense amount of public property is being used by private persons and corporations without compensation to either the city or the State, and when a demand is made by the city authorities to collect for the use of such public property by private persons or corporations, an outcry is raised by the parties interested as though an act of injustice was being perpetrated.

The use of public property by private persons and corporations without compensation has gone on in this city so long and so extensively that these private persons and corporations have reached the conclusion that they have the right by prescription to continue that abuse forever.

Public property, the rental value of which, per annum, would reach probably into the hundred thousands, has been and is now being used by private individuals and corporations without remuneration to the public. Chicago demands that this inequitable, unfair and unjust use of public property without compensation shall cease.

There is another need of Chicago to which I might advert. If Chicago is to be really great, it must become morally and ethically great as well as commercially great. Not only should its citizens be willing to pay for the use of public property when they utilize it, and be compelled to pay for it if they are unwilling

to do so, but the will of the people, as expressed at the ballot box, should be binding upon the conscience of the public. Our Legislature has wisely enacted a law permitting the people to express their wishes upon questions of great public interest at the ballot box. In so doing, the Legislature recognizes that this is a republic and that the will of the people is supreme.

A true republic is that in which all citizens have the right to be heard in the enactment of laws and the shaping of the policies of the government. In republics of small population, this can be done in general councils of the people which all the people may attend and at which they may record their votes. But in a great republic, such as ours, it is a physical impossibility for all the people to assemble and vote in person. Our Legislature, therefore, patterning after the Republic of Switzerland, has devised a wise and honest method under which the people can express their views, not in conventions but at the ballot box. And when the people have so expressed themselves at the ballot box, it should be the duty of all good citizens to bow to the will of the people and carry out their behests in their city councils.

If Chicago would become really great, it must become morally great enough to recognize that the will of the people, as expressed at the ballot box, must be obeyed until that will is changed or modified. So, I say to you gentlemen, that, to make Chicago the greatest city in the land, we must not only encourage trade within its gates, and trade towards its gates, but we must also provide for a revenue adequate to carry on its government efficiently and secure just and fair distribution of taxation, but, in addition, recognize the binding force of the public will as expressed at the ballot box.

All these things must and will come and it is our duty, as citizens who love this city and heartily hope for its future continued development and prosperity, to wish that that time shall come as speedily as possible.

That man or men, who would retard the commercial growth of Chicago or fail to forward it, is a poor citizen. That man or men who would hamper it in the collection of its honest demands for revenue equally distributed is a bad citizen, and he who would thwart the will of the people as expressed at the polls, or attempt to thwart it, is a dangerous citizen.

Let us all work for the growth of the city's trade and commerce, for the equal enforcement of the laws, for good government, and for the preservation of republican institutions in our city by obedience to the will of the people as expressed at the polls. Thus will Chicago become really and truly great.

HIS OBJECTIONS TO PROPOSED TRACTION MERGER.

STATEMENT IN THE RECORD-HERALD, OCTOBER 9, 1905.

The proposed ordinance of the Chicago City Railway Company is most objectionable in many features and violative of the people's rights in and to the people's streets.

First. It is a bold, bald defiance of the expressed will of the people as indicated in the election of April, 1905, in that it grants a twenty-year franchise to the Chicago City Railway Company.

Second. The ordinance is vicious in that it requires the company to build tracks only upon such streets as it now is operating on, and in addition thereto, only three miles of double track or six miles of single track each year during the continuance of the ordinance, irrespective of the needs of the people in the way of additional trackage produced by a rapid growth of population.

Third. I can find no provision in this proposed ordinance for any definite time in which the reconstruction of the road must be completed.

Fourth. Under section 4, the company is empowered to connect its conduits, poles and wires with any transmission or feeder wires of any individual or corporation in the city without any provision therein for notification to the city as to where such wires shall be run or making it requisite to get a permit from the commissioner of public works.

Fifth. Section 5 provides that the city shall have the right during the term of the ordinance to use the polls of the company to carry its signal, telephone, telegraph and electric light wires and lamps, but the ordinance is silent as to whether or not the city shall pay any compensation therefor.

Sixth. Section 6 practically gives to the Chicago City Railway Company a monopoly in the use of the poles in that it authorizes the company to lease the use of the same to other companies for such compensation as it may be able to exact from such other companies. In the contract plan, proposed by myself, the city has the power to require the company to permit the use of its poles by other companies upon the payment of a fair proportion of the cost of the maintenance of the poles.

Seventh. Section 15 provides for the use of free tickets for city detectives, policemen and firemen. But it does not include that most deserving and moderately paid class of men entitled to such privileges, to-wit: the letter-carriers of the United States Government.

Eighth. Section 16 provides for the removal of dead tracks and declares that "failure to operate cars for the carriage of passengers at least once each day within every hour of each day between the hours of six a. m. and eight p. m. over any street * * * shall be treated as cessation of operation."

A reasonable ordinance should provide for the operation between five a. m. and midnight, and further provide that the city council should have the right to insist upon all-night cars upon all streets where traffic would justify the operation of the same.

Ninth. Section 17 purports to provide for the issuance of transfers, but excepts from its provisions the lines north of Twelfth Street. Why that portion of the lines should be excepted I cannot understand. The same exception is made in section 18.

Tenth. Section 20 provides for compensation to be paid to the city, to-wit: for the first three years, three per cent; for the next two years, five per cent; for the next ten years, seven per cent; and for the last five years, ten per cent. This is an average of six and nine-tenths per cent for the whole period, but for the first fifteen years of the grant the average compensation is less than six per cent. From this, however, must be deducted all taxes, license fees and other revenues now derived by the city from the company. Deducting these taxes, license fees and revenues now paid by the companies to the city, it would leave the compensation to be paid to the city of Chicago for the first year of the grant only about $40,000.

The grossly inadequate character of this compensation to be paid to the city is manifest upon its face. The proposition of the Chicago City Railway Company to pay to the citizens of Chicago for the use of their streets for the first fifteen years of its franchise less than six per cent of the gross earnings of the company, less the taxes and license fees, would probably reduce the net compensation to be paid to the city to between four and five per cent. In view of the fact that the net earnings of the company during the whole of this period, based upon experience, as disclosed in reliable statistics for well equipped modern roads in large cities, would be somewhere between thirty-five per cent and forty per cent of the gross earnings, this offer of the company of compensation to the citizens of Chicago is an insult to their intelligence.

The most valuable asset of a street railway company is its twenty year franchise. During the twenty years preceding 1903

the traction companies of the city of Chicago, upon but a twenty year franchise granted in 1883, capitalized their bonds and stocks for the sum of $117,000,000, or thereabouts. The tangible property owned by them, as shown by the report of Bion Arnold, was worth less than $27,000,000. In other words, upon franchises of twenty years, granted to the companies by the city of Chicago, with an addition thereto of tangible property now worth less than $27,000,000, the franchise and tangible property became worth $117,000,000 or over four times the present value of the tangible property. Deducting $27,000,000, the value of the tangible property, from $117,000,000, it will be seen that the franchise for twenty years was worth $90,000,000. And so the people of the city of Chicago contributed to the enterprise a franchise worth $90,000,000, while the companies only invested sufficient to purchase property now worth $27,000,000.

The people are now asked to give to the Chicago City Railway Company a franchise for another twenty years, which franchise will be worth certainly much the greater part of the total value of the whole line when equipped. The Chicago City Railway Company proposes to equip the line, which, judging from past experience, will cost much less than one-half of the total value of the property when completed. The city of Chicago, in other words, is asked to enter into a copartnership with the Chicago City Railway Company and give to that company a franchise worth much more than the value of the tangible property which will be furnished by the company and to receive as compensation therefor for the first fifteen years five per cent of the gross receipts, while the company, which contributes less than one-half of the capital in tangible equipment, will take as its share of the earnings somewhere between thirty per cent and thirty-six per cent of the total income.

This is the proposition which the Chicago City Railway Company makes to the representatives of the people sitting in the council chamber, and which it has the temerity to ask those representatives of the people to accept. That company must assume that the mayor and the city council are either bereft of good judgment or disloyal and faithless to the people who elected them to office, if it expects such an inequitable proposition will be accepted by them for and in behalf of the people.

Eleventh. Section 23 purports to provide for forfeiture of the company's rights in case it shall make default in the performance of its agreements and obligations under the ordinance. But it is certainly a most extraordinary method of forfeiture, for it provides that, before any forfeiture can be made, the default of the company must continue for six months after written notice

of the default shall be given to the company by the city as well as to the company's trustee or mortgagee. In other words, under the provision, the company might violate any and all of its obligations and continue to violate any and all of its obligations until the city should serve written notice upon it, calling its attention to the same, and thereafter under this remarkable provision the city railway might continue in its violation of obligations and agreements for a full six months before the city could oust it from its possession of the streets.

It might on the last day of the six months begin to again perform its obligation to the city and continue the performance thereof for a few days, and then again make default, in which event the city would be compelled to serve another six months' notice upon the company and play this game indefinitely, so that the city would practically be without remedy by way of forfeiture.

Twelfth. Section 26 provides for the purchase of the rights of the company by the city and compels the city, at any time it seeks to take possession of the company's property, to pay a fair cash value for all the then unexpired rights of the company in the streets of the city of Chicago, existing at and prior to the date of the passage of this ordinance. This language is exceedingly ambiguous and upon one construction of the same would compel the city, if it sought to take possession of the company's property at the end of nineteen years, to pay to the company the fair cash value of the unexpired rights of the company existing at the present time. In other words, whatever the value of the unexpired franchises are at the present time, the city would be compelled to pay at any time hereafter that it might seek to take possession of the property.

This section also is objectionable in its provisions in regard to appraisers who shall fix the value of the property. It provides that the third appraiser, who in all probability would be the final umpire and arbiter to fix upon values, shall not be a resident of the State of Illinois. Why this insult to and disenfranchisement of the citizens of this great State? Can it be possible that among the 5,000,000 people of Illinois no man can be found who is sufficiently intelligent, disinterested and honest to act in this capacity?

Again, there is another remarkable provision in this section relating to the selection of appraisers. If the parties, in selecting the third appraiser or umpire, cannot agree, then the third appraiser or umpire is to be chosen by the chief justice of the Supreme Court of Illinois, and two judges, not residents of Illinois, of the Circuit Court of the United States, of which the northern district of Illinois shall be a part.

The Chicago City Railway Company seems to have conceived a great affection and preference for the judges of the Circuit Court of the United States for the circuit of which the northern district of Illinois shall be a part. I would respectfully ask the adroit attorneys of the Chicago City Railway Company why they have chosen the Federal judges of the Circuit Court of the United States of which the northern district of Illinois is a part as being the controlling persons fitted to make the selection of the third appraiser? What are the exceptional qualifications of these gentlemen?

Thirteenth. Section thirty contains a provision providing for an alleged referendum of the ordinance to the people. It is so craftily and ingeniously drawn, however, as to make it practically worthless. In the first place, the section provides that the ordinance shall take effect from and after its acceptance by the company without waiting for any referendum of any character. In other words, the ordinance goes into force at once without waiting for a referendum and then provides that, if certain things shall happen, the ordinance shall cease to be operative.

The ordinance remains in effect unless the question as to the continuance in force of the same shall be submitted to a vote of the electors of the city of Chicago under the public policy act at the municipal election, to be held in the city in April, 1906, and a majority of all the electors shall vote against the continuance in force of this ordinance. In other words, it throws the burden upon people of getting up a petition, of seeing that all the names upon this petition are valid, that all of the signers are legal voters, that they have complied with all the requirements of the law, that the petition is filed within the proper time and that it is properly worded as to form, that it is placed upon the ballot by the commissioners at the proper time and in the proper place and that a majority of all the electors—not a majority of those voting upon the proposition—shall vote against the continuance in force of the ordinance.

It throws all the burden of mistakes, inaccuracy and omission upon the people, and over and above all, it is very questionable in law if the ordinance went into full force prior to the taking of this referendum, whether the ordinance could be invalidated by any act of the electors after it became a binding contract between the city and the company. If the council and the mayor should permit the passage of this ordinance, grossly unfair as it is to the people and violative of their rights in the streets, and in defiance of their opinion already expressed at the polls, and the people should rely upon this provision of the ordinance, in my judgment, they would be relying upon a broken reed. If 199,000

of the 400,000 voters of Chicago should vote against the ordinance and only 10,000 vote in its favor, the ordinance would still stand.

The ordinance is defective and fails to protect the interest of the public in many other particulars. I am informed by a mechanical expert that section nine is defective in not requiring the company to renew worn out tracks, whether in paved or unpaved streets with "Trilby" rails, weighing at least ninety-five pounds to the yard and not requiring that the pavement shall be of granite on concrete foundation or such other pavement as the city shall from time to time direct.

From the same source I am advised that section ten is defective in not requiring that pavements shall be kept not more than one-eighth of an inch below nor more than one-half an inch above the rails.

The ordinance is further defective in that I fail to find in it any requirement for schedules or other reasonable service such as the council might from time to time direct. Such a provision should be inserted in any ordinance giving a franchise to a street railway company. I can find no provision in the proposed ordinance relating to service which requires the company to run more than one car per hour on any of its lines.

But the most important of these other defects is that there is no provision whatever in this ordinance, from beginning to end, that the meager compensation paid by the company to the city shall be preserved as a sinking or purchase fund for the purchase of the property of the company by the city at any time hereafter when it attempts to exercise its alleged purchase rights in the ordinance. The meager compensation provided to be paid it to be paid into the city treasury without any restriction as to its use and without having impressed upon it a trust character to be used for purchase purposes only, and it can be, and if this ordinance is passed, I predict it will be, dissipated and used for other purposes.

If the city officials have the right to use this money for any and all purposes, it is highly probable that in the city of Chicago, where there is so much need of the use of money for corporate purposes in the way of improvements, that any funds paid into the public treasury without being impressed with a trust character will be used for the building of a new city hall or for other necessary corporate purposes. And if the demands of the city for general corporate purposes do not bring about the dissipation of such funds, it would be in the interests of the men owning and operating the Chicago City Railway Company to suggest methods to the city authorities for dissipating this fund so that at no

time during the life of this ordinance would the city be in a position to buy. The city would have on hand no sinking fund, and, therefore, could not purchase the company's property under the terms of the ordinance except by the sale of Mueller certificates.

The whole ordinance, in my judgment, is but a thinly disguised replica of the so-called tentative ordinance or an ordinance more dangerous and prejudicial to the people than the so-called tentative ordinance which was buried by the people by an overwhelming vote only six months ago.

The people of Chicago have declared most emphatically against the passage, not only of the so-called tentative ordinance, but of any ordinance extending the franchises of the present companies. This ordinance would not only extend the franchises of the present companies for the utmost limit permitted under the law, but would do it in a manner so grossly indifferent to the people's rights as to warrant a most unqualified condemnation of the same.

DENIES HE INTENDS TO RESIGN AS MAYOR.

LETTER TO THE BOSTON MAGAZINE, NOVEMBER 10, 1905.

DEAR SIR: In answer to your letter of November 8, 1905, I would say that I am not at all surprised that the Associated Press is sending to eastern newspapers many dispatches, declaring that I have practically given up the idea of the municipalization of the street railways of Chicago and that I contemplate resigning my position very shortly.

Ever since I have taken office my position has been misrepresented by both the Associated Press and the newspapers of this city. It is wholly untrue that I have abandoned the idea of municipalizing the street railways of Chicago, and the statement that I am about to resign is maliciously false. Neither assertion is warranted by anything that I have ever said or done.

On the contrary, I am confident that the will of the people, as expressed at the polls, will be carried into effect sooner or later in this city.

I have been hampered by a hostile council and a hostile press. When I was first inducted into office, I had to face one of the most widespread and exasperating strikes that has ever existed in this city. It lasted 105 days and was in force two days before I was inaugurated.

During the strike I appointed special traction counsel to inquire into the legal aspects of the traction question, and discovered, within sixty days after I took my seat, that 130 miles of trackage out of a total of 700 are being operated after the expiration of the franchise thereon.

On July 5 I sent a message to the council calling their attention to that fact, and to the further fact that before November 1, 1908, 274 miles of the total trackage of the city would be lying upon the streets upon which the franchises would expire by that date.

In the same message I called the attention of the council to the fact that municipal ownership could be put into operation in only one of two ways: first, by the issuance of Mueller certificates under the Mueller law, which would necessitate the submission to the people of the question as to whether or not these certificates

should be issued, entailing a delay of at least six months or more, during which the validity of the Mueller certificates could be tested in the Supreme Court of the State. These serious delays might prevent our placing municipal ownership in force until my term of office expired, in two years.

The other plan contemplated the creation of a construction company, composed of five men of integrity and business character, whose views were favorable to municipal ownership. These men, according to the plan, were to incorporate a corporation which would act as a constructing company for the city. When incorporated, the company should receive a charter for twenty years, empowering it to build, construct and operate until it was paid the cost of construction, the company to bind itself to submit all plans, specifications, etc., for the construction of the road to the city council and have the same approved, and to issue sufficient bonds to enable it to build the road, the bonds not to exceed the cost of the road and to bear five per cent interest.

All the profits of operation over and above five per cent should be paid into a sinking fund to the credit of the city of Chicago; the managers and directors of the company, those acting in the interest of the city, to receive no return upon their stock and no emoluments of any character except reasonable compensation for their services, to be agred upon by the company and the city council.

Thus would be created a construction company which, upon the faith of a twenty year franchise, could raise sufficient money by the issuance of bonds to build a road immediately. The city would obtain the benefit of all profits from the operation of the road at once, and the company could receive no profit except the interest upon the money invested.

Both of these plans were submitted to the city council on July 5, 1905, and referred by the council to the committee on transportation. I expressed my preference for the construction plan, which I called the "contract plan", but the council has taken no action on either plan.

After waiting for three months for some action, I sent several messages to the council, calling their attention to the vote of the people as expressed at the polls, and I respectfully urged them to take action according to the people's desire. They have absolutely refused to pay any attention to the same, and the transportation committee, which has the matter in charge, upon its own initiative has invited the present traction companies to present forms of ordinances for the renewal of their franchises for twenty years. They are hurrying through these ordinances with the utmost expedition at the present time.

Every move I have made in the council in favor of municipal ownership has been defeated by majorities of from 47 to 42 to 18 to 22. I am practically powerless so far as the council is concerned. The council, however, has agreed to pass no ordinance that shall not provide for a referendum before the people. I am very confident that when the extension ordinances are submitted to the people they will vote them down next spring.

I have prepared and presented to the council an ordinance in favor of municipal ownership on which the people will vote at the same time.

In addition to having an unfriendly council, I am further handicapped by the fact that every paper in the city, except the Hearst papers, is doing all it can to thwart municipal ownership, and all the banking interests and capitalists of the city seem to be in league to prevent the consummation of municipal ownership in this city.

None the less, I believe the people will insist upon carrying out their wishes already thrice expressed at the polls. I have kept every pledge that I made to the people, and intend to fight this thing out to the end, notwithstanding all of the misrepresentation, vilification and abuse that may be showered upon me and the cause I was elected to further.

Very truly yours,

E. F. DUNNE.

FRANK PUTNAM, ESQ.,
The National Magazine,
Boston, Massachusetts.

MAKES A DEMAND UPON THE CITY COUNCIL.

MESSAGE DEMANDING ACTION ON CAR FRANCHISE, NOVEMBER, 1905.

To the Honorable, the City Council:

GENTLEMEN: At the last municipal election, held April 4, 1905, there appeared on the little ballot the following question to the voters of the city:

"Shall the city council pass any ordinance granting a franchise to the Chicago City Railway Company?"

Upon this question 151,974 voted "no" and 60,020 voted "yes."

There also appeared at the same time the question:

"Shall the city council pass any ordinance granting a franchise to any street railroad company?"

Upon this question 152,135 voted "no" and 59,013 voted "yes."

The local transportation committee of your honorable body, instead of considering plans, submitted by me in my message of July 5, for the purpose of bringing about municipal ownership of street railways, is now engaged in considering certain proposed ordinances presented by the Chicago City Railway Company and the Chicago Union Traction Company, contemplating the granting to the such companies of new franchises for the period of twenty years.

The consideration of these franchise extension ordinances, in the face of the vote above referred to, is in defiance of the expressed will of the people. For this reason, I respectfully recommend that your honorable body direct the local transportation committee to cease consideration of the said proposed franchise extension ordinances, and further to report to this council at its next meeting the ordinance submitted by me and attached to my message of July 5, 1905, commonly known as the "contract plan."

I herewith submit an order to that effect and respectfully urge your honorable body to pass the same without reference to a committee.

Respectfully,

EDWARD F. DUNNE, *Mayor.*

REGARDING THE UNIVERSAL GAS COMPANY.

MESSAGE TO THE CHICAGO CITY COUNCIL, DECEMBER 18, 1905.

To the Honorable, the City Council:

GENTLEMEN: I beg to call the attention of your Honorable Body to the status of Universal Gas Company in its business relationship with the city of Chicago.

This company was incorporated under the laws of the State of Illinois in 1894 and on July 23, 1894, was granted, by ordinance, the right to manufacture and sell gas within the city of Chicago upon certain terms therein specified.

The following, among other conditions, were imposed upon said company by said ordinance:

First. So long as said company charged consumers of gas $1.00 per 1,000 cubic feet, it should pay to the city of Chicago ten per cent. of the gross amount received from consumers.

Second. When said company reduced the price of gas to general consumers to 90 cents or less, said company should be released from its obligation to pay any compensation to the city.

Third. That the city of Chicago was to be a special consumer and gas was to be furnished to it at 75 cents.

Fourth. If said company should either directly or indirectly enter into any combination with any other gas company concerning the price to be charged for gas, its rights under said ordinance should be forfeited and all its pipes, mains, plant and appliances should become the property of the city of Chicago.

This company has been manufacturing gas since the year 1895 and during all of this time it has been selling gas to general consumers at not less than $1.00 without paying any compensation to the city.

The Universal Gas Company has the largest single gas manufacturing plant in the city and manufactures, as I am informed, approximately from 7,000,000 to 10,000,000 cubic feet of gas per day, being about one-fourth of all the gas consumed in the entire city. The compensation due the city on this output amounts, as I am informed, to more than $1,000 per day, no part of which the company has paid.

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The following, among other conditions, were imposed upon said company by said ordinance:

First. So long as said company charged consumers of gas $1.00 per 1,000 cubic feet, it should pay to the city of Chicago ten per cent. of the gross amount received from consumers.

Second. When said company reduced the price of gas to general consumers to 90 cents or less, said company should be released from its obligation to pay any compensation to the city.

Third. That the city of Chicago was to be a special consumer and gas was to be furnished to it at 75 cents.

Fourth. If said company should either directly or indirectly enter into any combination with any other gas company concerning the price to be charged for gas, its rights under said ordinance should be forfeited and all its pipes, mains, plant and appliances should become the property of the city of Chicago.

This company has been manufacturing gas since the year 1895 and during all of this time it has been selling gas to general consumers at not less than $1.00 without paying any compensation to the city.

The Universal Gas Company has the largest single gas manufacturing plant in the city and manufactures, as I am informed, approximately from 7,000,000 to 10,000,000 cubic feet of gas per day, being about one-fourth of all the gas consumed in the entire city. The compensation due the city on this output amounts, as I am informed, to more than $1,000 per day, no part of which the company has paid.

I am advised by counsel that for the purpose of depriving the city of these large sums, the Universal Gas Company has entered into an agreement with the Peoples Gas Light and Coke Company, by the terms of which the Universal Company sells practically all its gas to the Peoples Company for less than 90 cents and the Peoples Company in turn sells its gas to consumers at $1.00. The Universal Company claims that having sold its gas at less than 90 cents, it is not obliged, under the terms of said ordinance, to pay anything to the city.

The fact that the Peoples Company is now practically the owner of the Universal Company shows that the above arrangement is a mere subterfuge for the purpose of evading the payment of the compensation to the city under the terms of the Universal Company's ordinance.

The Investor's Manual for the years 1898, 1899, and 1900 shows that all the stock of the Universal Company was purchased in the fall of 1897 by a New York syndicate acting for the Peoples Gas Light and Coke Company.

In view of the above information that has come to my notice, I am advised by counsel that the Universal Company has entered into a combination with the Peoples Company to fix the price of gas in violation of the terms of the above ordinance.

I, therefore, recommend that the accompanying ordinance be passed, directing the Corporation Counsel to institute suits for the purpose of forfeiting the rights granted to the Universal Gas Company by said ordinance and for an accounting against said company and for recovering for the benefit of the city the entire plant of said Universal Gas Company.

Respectfully,

E. F. DUNNE, *Mayor.*

THE MILITANT CHIEF OF THE SALVATION ARMY.

ADDRESS ON GEN. BOOTH'S DEATH.

Mr. Chairman, Ladies and Gentlemen:

We meet today to do honor to the memory of a great, good man who has just passed to his reward beyond the shores of time, a man who has left a lasting impress upon the humanity of two continents.

The story of his life is one of the marvels of the age.

Born poor and compelled, when a boy, to support himself by daily labor, he early in life developed an ardent religious temperament, and after his daily toil devoted his nights to preaching Christ crucified on the street corners of his native city. From choice he sought those portions of the city where the poor, the wretched and the wicked mostly congregated and assembled. He was a militant professor of Christ from the start. Where men and women seemed most irretrievably lost to decency and society, there he raised his strident and militant voice, warning of damnation to the unregenerate and promising salvation to the contrite.

He fought the forces of hell in the hell holes of the city, soon transferring his militant energy to the metropolis of the world. Then he entered the ministry of the Methodist Church. Soon he finds the rules, regulations and ritual of the church to be a barrier to his restless, boundless energy and zeal for conversion.

The church invited sinners to repent. The church invited men and women to enter its portals. He found in the purlieus of the great cities that there were men and women, so wedded to vice and so indifferent to virtue, that they would not repent and would not respond to these invitations; that would not enter churches and listen to the word of God.

Such as these, he declared, must be reached, not by invitation and moral suasion, but by force of moral duress.

If they would not come to the church, the church must go to them. Vice and degradation must be assailed and assaulted in their citadels. He sought out these citadels. He camped beneath their ramparts. He fired the word of God through its portholes and embrasures. He sang the songs of Christian faith and

of determination and courage, pressing on toward final consummation.

I regret to state that progress made towards the solution of the traction question and the carrying into effect of the mandate of the people, as expressed at the election of last spring, has not been satisfactory either to myself or to the people of this community. The people declared at the spring election against the granting of any franchise to the Chicago City Railway Company, or to any other street railway company, by a vote of approximately 152,000 to 60,000. This expression of the public will no right-minded citizen can misunderstand.

Believing firmly that this emphatic expression of the people's will should be obeyed by the city's executive and the city council, I have done all in my power, as mayor of this city, to impress upon the city council that no extension franchises should be granted to the Chicago City Railway Company, the Union Traction Company, or any of their constituent or underlying companies.

On July 5 last, I called the attention of the city council to the fact that 130 miles of the total trackage of the street railway companies of Chicago were available to the city for the building of a municipal street car system, by reason of the franchises thereon having expired. I further called attention to the fact that about 270 miles of said trackage would be in like manner at the disposal of the city on or before the first day of January, 1908. I further called attention to the fact that this 270 miles of trackage would furnish transportation, by reason of the location of these tracks in the most populous portion of the city, to about 1,100,000 people of the total 2,000,000 population of Chicago.

In this same message, I formulated to the council two plans for the construction of such a municipal railway system on these streets upon which the franchises had expired or were just gasping expiration. Neither of these plans, apparently, has commended itself to the city council, although either or both, in my judgment, are entirely feasible and practicable both from a legal and financial standpoint. Contrary to my views and to the expressed will of the people, the committee on local transportation of the city council, has been industriously engaged in framing ordinances proposing to grant extensions of franchises to the Chicago City Railway Company and the underlying lines of the Chicago Union Traction Company.

As a protest against such action I have sent repeated messages to the city council, calling the attention of that body to the popular vote registered overwhelmingly against such course of procedure. I have repeatedly requested the council to instruct its committee to cease consideration of the proposed franchise extension ordinances

and to take steps to put into force a plan for the creation of a municipal street car system. Unfortunately, the city council, up to the present time, has seen fit to sustain the committee in its formulation of these proposed franchise extension ordinances, and the executive department and the legislative department of the city, represented by the mayor and city council respectively, are at present in a deadlock.

While this state of conflict exists it will, of course, be difficult to advance the cause of municipal ownership of street cars of this city, as demanded by the people at the ballot-box.

So far as I am concerned, as mayor of this city, this deadlock must continue until the council, in its wisdom, sees fit to change its present attitude. I was elected mayor of this city upon a solemn pledge to oppose the granting of any franchise extension ordinances to the companies, now operating in Chicago's streets, and to bring about at the earliest possible day the municipalization of the street car lines of this city. That pledge I purpose to keep.

Fortunatey, the council has been pledged to submit all ordinances relating to the franchise question to the people next spring. This submission should be in such manner as to put an end to the traction controversy for all time. The only way this can be done effectively is for the council to pass the Mueller ordinance, providing for the municipalization of the street car lines of this city pursuant to the terms of the Mueller law, and to place the proposed franchise extension ordinances before the people under the public policy act of this State. This method, in my judgment, is the only honest and effective way of forever disposing of this matter at the spring election. If this be done, the people can vote in favor of the Mueller certificate ordinance and against the franchise ordinances, or in favor of the franchise ordinances and against the Mueller certificate ordinance, and in either event the traction question will be settled forever.

If they vote in favor of the Mueller certificate ordinance, which I presented to the council some weeks ago, no further vote of the people will be necessary to enable the citizens of this city to acquire a municipal street car system.

I am confident that the people will vote this April as decisively in favor of municipalization of the street car lines as they did last April.

I have done everything in my power to carry out the will of the people of Chicago in the way of bringing about municipal ownership of the city's traction lines, but the members of the city council, in the face of the expression of the people's will, have voted by an overwhelming majority against any move in that direction that I have made. As a consequence, the wheels

of legislation for the time being are effectively blocked. It is for the people to determine whether my course or that of the council shall be approved and sustained. This question the people will face at the polls next April. Their will must stand supreme and I am not doubtful of what will be their verdict.

With other citizens, who believe that the existing gas companies of Chicago have been charging exorbitant rates for gas, I went to Springfield shortly after my election and urged upon the General Assembly the passage of an act enabling the city council of the city of Chicago to fix reasonable rates for gas and electric light. The State Legislature passed such an act in response to this demand and the same has been adopted by the citizens of Chicago upon a referendum vote.

Immediately upon the adoption of this act by referendum last November, I addressed a message to the city council calling the attention of that body to this fact and urging the council to pass an ordinance, which I submitted, fixing the price to be charged for gas at 75 cents per 1,000 cubic feet. This price, in my judgment, is a reasonable one, in view of the fact that gas has been sold within recent years in the city of Chicago by one of the present constituent corporate members of the People's Gas Light & Coke Company for 72 cents per 1,000 cubic feet, and in view of the further fact that gas now is sold in several American cities for 75 cents and less. The matter of my message has been referred to the council committee on gas, oil and electric light. I earnestly hope that that committee soon will recommend to the city council for passage an ordinance fixing the price of gas in this city at 75 cents per 1,000 cubic feet.

It is my intention, at an early date, as soon as I procure sufficient reliable data, to recommend to the city council the passage of an ordinance materially reducing the price of electric light in this city, as I am confident that the present rates, charged by private companies, are both exorbitant and unjustly discriminative between different classes of citizens.

I have communicated and held several interviews with the officials of the Chicago Telephone Company, and have urged upon this corporation the adoption of a more reasonable schedule of rates for telephone service. In response to these suggestions the company has addressed a communication to the mayor and the city council requesting the opening of negotiations with reference to the future dealings of this company and the city and citizens of Chicago. This communication, too, has been referred to the council committee on gas, oil and electric light, where the matter now is pending. I am pleased to state that the officers of the telephone company have informed me that they are prepared to consider:

First. A reduction of charges to telephone users.

Second. The incorporation in any agreement that may be made with the municipality of a provision under which the city of Chicago shall be empowered to take over and operate the telephone plant of this company as a municipal plant when the State Legislature enacts a law enabling the city so to do.

For years the city has been defiled by the smoke emitted from its chimneys. All attempts to abate this nuisance have been ineffective owing to the cumbersome and complicated provisions of the existing smoke ordinance, which I can honestly describe as an ordinance devised to protect smoke producers rather than to punish offenders. I have called the attention of the council, in a message, to the defects of the existing smoke ordinance and this now has been amended and, I believe, will be further amended in a few days so as to make a future continuance of the smoke nuisance difficult, if not impossible.

The extension of Chicago's charter powers is a work that now is on the ways. The charter convention has been assembled and has entered upon the task which has for its object the removal of those obstacles which have cramped Chicago's efforts and hampered civic development and municipal betterment in many ways. The work of the convention, I am pleased to say, will be submitted to the people upon referendum for their approval.

In the department work of the municipal government, many important changes have taken place within recent months. The water system of the city has been completely reorganized. Here, too, justice for all is aimed at. For years past the city of Chicago, by reason of an unfair and discriminating water ordinance, has been put in the unjust and reprehensible position of charging its water consumers differing and discriminating rates, varying from 4 cents per 1,000 gallons to 10 cents per 1,000 gallons. The ordinary, small consumer has been charged 10 cents, while the powerful and wealthy corporations of the city are supplied with water at 4 cents per 1,000 gallons.

In a message to the city council I have called the attention of that body to the injustice of the existing ordinance and have recommended the establishing of a flat rate of 8 cents per 1,000 gallons to all consumers alike. I regret to state that no favorable action as yet has been taken by the council on this recommendation, the matter having been referred to a committee where the same now is lying undisposed of.

I am pleased to state that the "fee system," by which the water consumer was required to pay for meter and service pipes, has been abolished. Hereafter all meter pipes and all service pipes

leading from street mains to houses will be installed at the expense of the city. This will conduce to simplicity and will remove a burden from citizens who become patrons of the water service. The principle has been to relieve the consumer of all possible payments except for water actually consumed. The administration of the water bureau, too, has been so altered as to make for increased efficiency and better service.

Rapid advance is being made toward the effective purification of Chicago's water supply. Practically every link of the city's planned intercepting sewer system has been placed under contract. This means an expenditure of approximately $1,800,000 and the approaching completion of the intercepting sewer system which, when finished, will divert all sewage from the lake between the city limits on the north and Eighty-seventh Street on the south. Work on the great Lawrence Avenue conduit, which was stopped for several years, has been energetically set under way, together with the erection of the pumping station that will serve as an adjunct to this big bore in flushing the north branch of the Chicago river.

Greater efficiency in the cleaning of the streets and alleys and the removal of garbage is being attained. Plans are under way for the institution of a new system of garbage removal during the coming year, which will eliminate the city dumps and obtain the disposal of garbage by a sanitary and more effective process.

A bureau of compensation has been established. This bureau has collected more than $40,000 during the months it has been in existence, about half of this sum having been received in payment for the use of sub-sidewalk space. This bureau's receipts stand as a net addition secured to the municipal revenue. A policy has been pursued of collecting compensation not only for sub-sidewalk space but also for any and all public property temporarily taken over for private use.

Through a special engineering commission, a complete report has been secured as to the history and present condition of the tunnels of the Illinois Telephone and Telegraph Company. now called the Chicago Subway Company. Thus, a complete system of inspection has been installed and provision has been made for enforcing rigid compliance with the ordinance under which this work is being built.

Throughout the department of public works constant consolidation and simplification of governmental control and execution has been the rule.

In the department of electricity the year has been a record breaking one in the extension of the municipal street lighting

system. A total of 1,580 electric lights of 2,000 candlepower each have been added during 1905, making an aggregate of 6,687 lamps now in service. This stands as the greatest number of arc lamps added to the system in any one year since the inception of the municipal plant in 1887. During the year the municipal system was extended into Austin and displaced 130 rented lights for which the city was paying $103 per lamp per year. An average number of 5,700 arc lamps, each of 2,000 candlepower, has been maintained and operated from the four power stations of the city. The average cost per lamp, including its proportion of office charges, but not including interest, depreciation, taxes or insurance, has been $52.14. These figures as to cost per lamp under municipal ownership and under private operation are worthy of close study by Chicago's citizens.

To place the 1,580 additional lights in service during the year thirty miles of underground cable and 250 miles of aerial wire have been placed, also 198,435 duct feet of conduit have been laid and 1,830 poles set.

Additions to the police and fire alarm telegraph required the placing of 173 miles of underground wire, while 500 poles and seven miles of electric light wire were removed on account of street improvements. New equipment is being placed at the municipal power stations which will practically double the output of a couple of these plants and reduce the cost of repairs. During the coming year large extensions to this municipally owned system will be made.

Notable work has been done in the department of police. I believe that I can say without contradiction that Chicago is morally cleaner today than at any time in many years. Open gambling has been suppressed. For this offense alone a total of 2,200 arrests have been made within the last five months—a greater number than ever before within a similar period.

Now an energetic warfare is being waged with effectiveness against the criminal element—an element that besets any great city. Flying squadrons of officers known as "thief catchers" have been formed and are working in all divisions of the city.

Under the present administration, vicious dance halls and dive saloons have been closed. Scores of "get-rich-quick" concerns have been driven out of existence. In the department itself the new United States Army drill regulations have been established and have increased the effectiveness of the service, though the city is hampered through lack of revenue from securing the proper number of policemen needed to fully safeguard life and property. An addition to the police force is absolutely necessary.

The splendid work of the fire department has resulted in a reduction of $400,000 in the fire losses of the city, as compared with the previous year. Eleven new engine houses have been erected during the year and much new equipment added. The so-called two platoon system has been given a trial with the result that a favorable report has been received thereon.

In the way of public improvements, ninety-three miles of streets have been paved during the year at a cost of about $3,600,000. More than 518 miles of new sidewalks have been constructed at an approximate cost of $1,618,119. One important fact, I am pleased to state, is that, at the rate cement, stone and cinder sidewalks are being constructed, it will be but a few years before Chicago entirely frees itself of the wooden sidewalk nuisance, the chief cause for many years of the flood of personal injury cases in which claims for millions and millions of dollars have been filed against the city.

Further, more than 24 miles of sewers have been constructed during the year at a cost of $641,900. In addition to this sum, $75,000 has been expended on the large Jackson Park sewer system and pumping station, while work is to commence at once on the so-called Eighty-fifth Street sewer system, which is designed to drain all the territory extending from Eighty-third Street to the southern limits of the city and from Lake Michigan on the east to Ashland Avenue on the west.

The health department has been especially vigilant in safeguarding the city's health. Under the present administration the work of food inspection has been enormously developed. This is shown by the fact that during the last five months of 1905 an aggregate of 4,050,000 pounds of diseased food supplies of all kinds have been condemned and destroyed by the department inspectors. During the corresponding period of 1904 the total amount condemned and destroyed totaled but 151,470 pounds, or less than 4 per cent of this year's figures.

Report is made that, on final computation, the death rate in Chicago for 1905 probably will not exceed 13.34 per 1,000 of population—the record year of lowest mortality, not for Chicago only, but for any city in the world of more than a half million population. There has been no serious prevalence of any of the epidemic diseases, the deaths from typhoid fever being fewer than in any year since 1880, when Chicago's population was barely one-fourth as large as now.

Within the last six months the law department of the city has had a larger number of cases, involving greater amounts and a greater burden of business than ever has fallen to any preceding administration in the history of Chicago. Notwithstanding this,

the litigation has been pressed with unusual rapidity. Cases advanced to the Appellate Court and disposed of within the last six months exceeding in number about twenty-five per cent more than were disposed of in a similar period of time in any of the last ten years. The traction cases involving many millions of dollars and the great fundamental rights of the people, have now advanced to the Supreme Court of the United States. The law department has taken up and pursued vigorously the matter of contests against the gas companies to insure the enforcement of a 75-cent gas rate. Suits have been instituted to compel the street car companies to give the people better service, avoid crowding of cars and to compel the heating of the same.

In the enforcement of the civil service law, the city has been victorious in nine out of twelve appeals, taken either by the city or where the city was seeking to sustain the appeals, resulting in a larger era of civil service and its application.

Prompt measures have been taken by the department against different public institutions which have been recreant in the payment of their taxes. In the instance of the Illinois Tunnel Company alone the city has brought about a just increase of taxation which will net $40,000 to the tax fund. The amount of recoveries which this department now is enforcing will equal a sum far in in excess of every dollar required to maintain it.

In the matter of building erection and inspection, marked improvement has been shown since the enactment of the new building ordinance. Constant attention has been given the great number of old buildings which do not comply with the present ordinance, and to the safety and protection against fire in all buildings where large numbers of people are employed or congregate. From a building standpoint, the year 1905 has been the most prosperous the city has enjoyed, exceeding that of the preceding year by about 40 per cent. During the year permits were issued for the erection of 8,660 buildings, covering a total frontage of 253,026 feet and costing $63,136,700. Increased efficiency has been shown among the building inspectors, though the department still is hampered with too small a force.

The youth of the city have shared bountifully in Chicago's advancement. Under the direction of the board of education, the new course of study in the elementary schools has been given a more thorough trial. Manual training has been greatly developed. Sewing, cooking, and physical culture have received increasing attention. During the year the board decided to erect two separate schools for crippled children, one on the west side and the other on the south side.

The task of providing all the school children of Chicago with proper accommodations is nearer fulfillment now than at any other

time in the city's history. Six new school buildings and forty-five portable one-room buildings were completed during the year, containing 145 rooms, seating 7,110 pupils and costing $1,077,000. Four additions to old buildings have been completed, adding 43 rooms, seating 2,070 pupils and costing $522,000.

There are under construction at this date 9 new buildings and 11 additions to old buildings which will contain 262 rooms, seat 8,116 pupils and cost $2,226,000. In addition 19 new buildings have been ordered, with 19 additions to old buildings. These will be put under contract within six months and will provide 558 additional rooms, afford accommodation to 25,700 pupils and require an outlay of $4,844,000. Truly, this speaks well for the future manhood and womanhood of Chicago.

A vigorous campaign has been conducted by the department of weights and measures against violation of ordinances pertaining to the sale of commodities. A flying squadron of inspectors has been organized and sent into all sections of the city. The amount of fines imposed for short-weights and short-measure during the year totaled more than $3,350 as against $1,112 for the preceding year.

In the task of track elevation a larger amount of work has been done in 1905 than at any similar period since the start was made in abolishing grade crossings. Fifteen miles of roadbeds and tracks of railway companies have been elevated above the established street grades, this work carrying with it the elevation of more than 129 miles of yard, switch and other tracks. Fifty-six grade crossings thus have been eliminated. This work during the year now closed has cost $5,800,000 without the expense of one penny to the city, and has given employment, directly and indirectly, to 50,000 men. The work must go on until all grade crossings within the corporate limits of Chicago are eliminated.

At the House of Correction extensive improvements have been undertaken. The erection of the new women's building has been begun. Here the most sanitary and humane ideas will be introduced with regard to the safety and care of female inmates. New industries are being established.

And as Chicago turns into the new year, it takes up the march toward a future that ever must grow more glorious. Chicago, in my judgment, is the greatest city in America, not in wealth nor in population, but in activity, energy, ambition and high ideals. It is the nerve center of America from which pulsates the advanced thought and energy of an American people. It is the theater of political action. It is the center of political economic thought.

We all love Chicago and hope for its increased growth and prosperity and greatness. But, if Chicago is to maintain its greatness, it must continue to be morally and ethically great, as

well as commercially great. The will of the people as expressed at the ballot box must be binding upon the conscience of the public and upon the hands and hearts of its servants. For a true republic is that in which all citizens have the right to be heard in the enactment of laws and the shaping of public policies.

Chicago suffers much from an economic standpoint in many vital particulars. We suffer from lack of adequate revenue to properly police our city, to provide needed fire and sanitary precautions, to improve the streets, and, in general, to properly run the government. Yet, while Chicago has a smaller revenue than the other great cities of the United States and limps a financial cripple, much public property has been used by private persons and corporations without compensation to the city. Chicago demands that inequitable, unfair and unjust use of public property without compensation must cease and that a fair and just distribution of taxation must be secured. The man who would hamper Chicago in the collection of honest demands for revenue, equitably distributed, is a bad citizen.

Let us all, therefore, resolve to give our best efforts this new year and in future years not only toward the material growth of Chicago, but also for the equal enforcement of the law, for good government, for good citizenship and for the preservation of republican institutions in our beloved city by obedience to the will of its people as expressed at the ballot-box. Chicago, truly great, must not rest, but must ever aspire to still higher and nobler attainments.

HIS 1906 NEW YEAR'S WISH.

A Mayor's Greeting to Chicago, January 1, 1906.

Militant Chicago during the year 1905 has been struggling against the most powerful aggregation of vested interests and enormous wealth that public utility corporations have ever concentrated in America. Her onward march toward the ownership of her own utilities has been retarded but not defeated.

Chicago suffering in 1904, militant in 1905, let us hope will be triumphant in 1906.

EIGHTY-FIVE CENT GAS TOO HIGH IN CHICAGO.

MESSAGE VETOING GAS ORDINANCE, FEBRUARY 14, 1906.

To the Honorable, the City Council:

GENTLEMEN: I return herewith, without my approval, an ordinance passed at the last regular meeting of your honorable body, and published at pages 2624 to 2633, inclusive, of the current printed council proceedings, fixing the price at which gas is to be sold in the city of Chicago during the next five years at 85 cents.

There are several objectionable features in this ordinance. Section 2 gives to the gas companies the right to remove meters without replacing the same for twenty-four hours. There is no good reason why the companies, when they take out a meter for repair or any other purpose, should not be compelled to replace the meter removed by another meter within one hour. The person removing a meter should have another meter ready for substitution immediately.

Under section 6, any of the gas companies of the city of Chicago may "lease and demise to any other company," whether that company is a foreign or domestic corporation, "the mains, pipes, meters, works, plant and appliances, or any part thereof of such company or companies on such terms as" the Chicago gas companies "may agree upon" with such other companies, and the corporation, leasing and acquiring such plants, may "take and acquire the mains, pipes, meters, works, plant and appliances or any part thereof" and "operate the same and manufacture and distribute gas" through said plants so acquired.

Under this provision the Standard Oil Company or any company organized under the liberal laws of New Jersey, Delaware or any other state, would be empowered to take possession of the gas plants, now being operated in the city of Chicago, and conduct them without limitation as to time in the same manner that domestic corporations of this city could conduct them, but, in so doing, they would have the right to have all questions arising between the city of Chicago and themselves determined exclusively in the Federal Courts, instead of in our local State Courts. The public utility corporations of the city of Chicago, for some reason, have always evidenced a remarkable partiality for the Federal Courts, which partiality is not shared by the people of this community.

On the contrary, the people of Chicago seem to be entirely content to have issues that arise between the city and these corporations determined and passed upon by our local State Courts. I can discover no good reason why the public utilities of this city, as long as they are allowed to remain in the hands of private companies, should not be administered by corporations which are subject to the exclusive jurisdiction of the State Courts.

Under the last sentence of this section, the Peoples Gas Light and Coke Company, the Ogden Gas Company and the Universal Gas Company reserve to themselves the right to question, after five years, the authority of the city of Chicago to regulate the price and quality of gas furnished by them to the citizens of Chicago. In view of the fact that this ordinance purports to be a contract ordinance which, in return for the sale of gas for 85 cents for five years only, is granting valuable concessions in the way of leasing and consolidation to the present companies, and which purports to settle all controversies between the city of Chicago and these companies, there should be no reservation, made by the companies, which would enable them to question the validity of the gas regulation acts of this State. This ordinance is either a contract ordinance which should settle all controversies between the present companies and the city, in which event the companies should be compelled to acknowledge the right of the city to regulate the price and quality of gas, or it is not a contract but a regulating ordinance in which the city should, under the law, affirm its right to fix the price and quality of gas and compel the companies to accede to its terms without conceding to the companies the right to question its validity.

The ordinance is further objectionable in that in section 9, it concedes, by the language therein used, that there is upwards of $1,300,000 due from the city of Chicago to the Peoples Gas Light and Coke Company. This amount is claimed by the Peoples Gas Light and Coke Company to be due from the city, on the assumption that the city is liable to pay this company for gas consumed at the rate of $1.00 per thousand cubic feet, although the city of Chicago in 1900 passed an ordinance fixing the price of gas at 75 cents per thousand cubic feet. The ordinance, under consideration, purports, in section 5 thereof, to preserve the rights of the city and the citizens of Chicago to recover back all sums, paid in excess of 75 cents, since the passage of said ordinance of 1900. In other words, section 5 purports to reserve the right of the city and the citizens of Chicago to maintain in court that the legal price of gas for the last five years and upwards is 75 cents, and yet, in section 9 of the ordinance, there is an admission that $1,300,000 is due from the city to the Peoples Gas Light and Coke Company for gas at the rate of $1.00 per thousand cubic feet. If the city of Chicago and the

citizens of Chicago, in the assertion of the rights and prices given them under the ordinance of 1900, appear in court for the assertion of such rights, they will be met with the proof that, in section 9 of this ordinance, they concede the claims of the company that the city is liable for gas consumed at the rate of $1.00 per thousand cubic feet.

The objections to the ordinance hereinbefore mentioned would be sufficient of themselves to justify me, as mayor of the city of Chicago, in vetoing this ordinance, but there still remains another and greater objection. The price fixed under this ordinance for gas, in my judgment, is unfair to the people and the city of Chicago and excessive.

The Mutual Fuel Gas Company and the Hyde Park Gas Company, for years, sold illuminating gas in the city of Chicago, under the provisions of its charter, for 72 cents, and only ceased so doing when it was sought in court to compel the other constituent companies, which had been consolidated in the Peoples Gas Light and Coke Company, to sell gas at the same figure. The undeniable fact is that illuminating gas was sold by the Mutual Fuel Gas Company and the Hyde Park Gas Company to the people of Chicago for 72 cents per thousand cubic feet in recent years.

Further, it is an undisputed fact that the citizens of Cleveland, Ohio, are purchasing gas from private companies in that city for 75 cents per thousand cubic feet, and the companies which sell gas at that figure are paying such a percentage of their gross receipts to the city for the privilege of selling gas at that figure that it reduces the net price of gas to the people of Cleveland to 70 cents. It is also an undeniable fact that the citizens of Cincinnati are obtaining gas for 75 cents per thousand cubic feet, and that the same is true of Duluth, Minn., and Alexandria, W. Va.

It is possible that there are certain good reasons arising out of the price of coal, oil, labor and the other constituents which enter into the manufacture of gas, that might make the manufacture of gas in Chicago more costly than in these other cities. The only way to determine this question is to examine into the actual price of gas as manufactured in Chicago. The companies that are manufacturing gas within the city of Chicago have peculiarly within their knowledge the actual cost of the manufacture and distribution of gas in the city, and this cost can be ascertained accurately and reliably from the books of the companies, if the books are correctly and honestly kept. For the purpose of getting the actual cost of gas in Chicago, I requested these companies to permit their books to be examined by the representatives of the city. This request was met with a re-

fusal. A firm of accountants was permitted to examine certain books and papers, which were selected by the Peoples Gas Light and Coke Company and the Ogden Gas Company and submitted to these accountants. In making their report to the committee on gas, oil and electric light, this firm of accountants declares: "We should have been accorded an opportunity of more fully examining several of the distributing and other accounts in the ledgers that bear directly on this investigation, but this was denied us. Had we had access to these accounts the cost of manufacturing and distributing might have been somewhat modified."

From this report of these accountants, it is apparent that the actual cost of gas manufactured in Chicago, within recent years, has not been ascertained, although that actual cost must be and is known to the Peoples Gas Light and Coke Company and the Ogden Gas Company. It is true that representatives of these companies have made statements before the committee on gas, oil and electric light as to the cost of gas, but these statements were based upon figures obtained from the books of these companies, and until these books are thoroughly examined, the accuracy and truth of these figures will never be known. Until these companies will permit a thorough and exhaustive examination of their books for the purpose of enabling the city of Chicago to ascertain the actual cost of gas, as manufactured by them during recent years, I cannot be convinced that the city of Chicago and its citizens ought not be furnished with gas as cheaply as the gas sold in Cleveland, Cincinnati and other cities in the United States, irrespective of the valuable privileges of consolidation given to these companies in this ordinance.

When I addressed your honorable body in a message on November 13, 1905, requesting the passage of an ordinance, fixing the price of gas at 75 cents, I was honestly of the opinion that gas could be manufactured and sold by the gas companies, now doing business in the city of Chicago, for 75 cents, with a reasonable profit to themselves. I am still of the same opinion. No sworn evidence has been adduced to the contrary, and no examination of the books of these companies has been allowed to the committee on gas, oil and electric light.

The refusal of the companies to permit an examination of their books leads to the irresistible conclusion that, had the books desired by the accountants been submitted, they would have shown that a lower rate than 85 cents was reasonable and should have been established.

That 75 cents is a reasonable rate for gas in Chicago has been already, prima facie, established in so far as any act of this council can establish the fact by an ordinance which received the

unanimous approval of the city council and the then executive of the city. The fact that the reasonableness of that figure has not been questioned in any of the litigation now pending between the city and the present companies is significant.

With a 75-cent rate previously established in an ordinance passed by the unanimous vote of this council and litigation pending thereon, in which the reasonableness of that rate has never been questioned, it seems a most manifest public duty not to fix a higher rate until such necessity has been established by satisfactory testimony.

Aside from the valuable privilege of consolidation, given in this ordinance, the proposed ordinance forces the city of Chicago to assume the payment from general funds for the gas used in lighting the city's streets. The claims of the city for compensation against the gas company, which in the past have been an offset against the claims of the company for lighting the city's streets, are wiped out by the terms of this ordinance.

In future, under the terms of this ordinance, Chicago would be charged several hundred thousand dollars annually for gas used in lighting the city's streets. When the condition of the city's treasury and the needs of the city's police force are considered on the one hand, and the great benefits conferred by this ordinance on the gas companies on the other, this seems to impose an unnecessary hardship upon the city.

It is further to be noted that there is no provision in this ordinance for the regulation and inspection of meters at the expense of the companies, which has been the cause of very serious complaint against the companies in recent years.

Because of the foregoing facts, in the exercise of my duty as mayor of this city, I feel that I am bound to, and I do hereby, veto this ordinance, and respectfully recommend that the subject matter of fixing the price and quality of gas, to be furnished by the gas companies of this city to the city and the gas consumers of this city, be recommitted to the committee on gas, oil and electric light, with instructions that that committee demand from the gas companies of Chicago an opportunity to fully and thoroughly examine the books of said companies to ascertain the true and actual cost of the manufacture and distribution of gas in the city of Chicago, and, in default of that opportunity being given to it within 30 days, that it fix the price of gas at 75 cents per thousand cubic feet for the next ensuing five years.

WISHES SUCCESS TO SEATTLE.

TELEGRAM TO SEATTLE NEWSPAPERS, MARCH 2, 1906.

To J. D. Flenner, The Seattle Mail and Herald, Seattle, Wash.:

Chicago in its fight for municipalization of street cars has won three great battles at the ballot box, one in the Legislature and recently two in the city council after a determined fight of six months. It will win again on the first Tuesday of April, election day. Municipal ownership winning throughout the world. One hundred forty-two great cities in Great Britain now operating their own street cars. So are Berlin, Cologne, Munich, Vienna, Budapest, Switzerland and Austria. Municipal ownership accomplishes these things. Greater efficiency, reduction of rates, lower hours of working men, increased wages, abolishes strikes, boodle and corruption. Success to the cause in Seattle.

EDWARD F. DUNNE,
Mayor of Chicago.

ST. PATRICK'S DAY.

ADDRESS TO THE IRISH FELLOWSHIP CLUB, CHICAGO, MARCH 17, 1906.

Mr. Chairman and Gentlemen:

I am pleased to avail myself of your kind invitation to be present with you this evening. I am proud to say that the same blood that courses in most of your veins, courses in my own, and that the race to which you belong is the race from which I am descended.

It is a race of which we are both proud—proud of its past and hopeful of its future. It is a race that has ever produced brave men and virtuous women. It is a race proud of its literature, its music and its ancient traditions. It is a race that has withstood the waste of famine and invasion and the shock of insurrection and disintegration. It is a race which was one of the earliest in western Europe to embrace the teachings of Christianity, and a race which has preserved the teachings of that religion down through all the centuries unimpaired. It is a race which, through the dark ages, established schools and universities, the ruins of which excite the wonder of the traveler today. It is a race which sent its missionaries and teachers throughout Europe to spread the light of Christianity in the blackest night of the dark ages, a race which has been often beaten but never yet conquered. It is a race which has been without a flag, a nationhood, an army or a navy for over seven centuries, but which still preserves, in all its strength and vigor, its aspirations for independence and nationality. It is a race whose love of liberty has never been extinguished by the sword of the Plantagenet, the torch of the Tudor, or the bludgeon of the Cromwellians. It is a race which, in spite of persecution, outlawry, famine and transportation, still exists and leaves its impress upon the four quarters of the globe.

It is a race which retains tenacious hold upon its native land and yet has sent its sons and daughters to people and develop lands in all parts of the world and a race which has left and is still leaving its imprint upon the history of many nations. It is a race that has given an O'Donnell to Spain, a McMahon to France, a Taafe to Austria-Hungary, a Gavan Duffy to Australia,

a Jackson, a Sheridan, a Shields and a Meagher to the United States.

I greet you tonight as the expatriated sons of the green old isle and their descendants living upon American soil. I congratulate you upon the fact that you have kept alive the old love of liberty and your desire for independence. I congratulate you upon being prosperous citizens of the great American Republic, filled with sentimental love for the old land and loyalty to the new.

Love of the old and love for the new are not inconsistent or antagonistic. They go hand in hand—a tribute to your sentiment and common sense. You have the same affection for the old land that a son has for his dear old mother. You have the same love and loyalty for the land you live in that you have for the wife of your bosom. Was there ever yet a good husband who was forgetful of his dear old mother? You have affection for both—the attributes of good sons and good husbands. And, if ever the time comes, and I hope it will, when you may be able to assist the land of your birth or of your forefathers to reclaim the freedom and independence that is due her, I confidently predict that you, with millions of others of your birth and lineage, will respond to that call.

While you love and revere the land of your birth or of your parents' birth, your first love and your first loyalty is due to the land you live in. That land has extended to you her open arms and a welcoming heart. She has furnished you a home and a place where you can raise your children in the love of God and country, untrammeled and unrestricted by unjust laws and vicious legislation. Your loyalty to her has never been questioned. It has been evinced upon the battlefield and in the Senate Chamber—in peace and in war. Whenever the American Republic has been imperiled, its Irish-American sons have been among the first to attest their loyalty and patriotism.

In the days of the Revolution she furnished a Sullivan, a Montgomery, a mad Anthony Wayne and a Jack Barry. A Jackson commanded at New Orleans and a Shields fought at Churubusco. In the War of the Rebellion thousands of Irish-Americans fought under the leadership of a Meagher, a Mulligan, a Shields, and a Sheridan.

In times of peace her sons have filled every position of honor in the American Republic, from the Senate of the United States down to the Legislatures of the State. And in the years to come, when the bugle call of patriotism shall be heard upon the blast, I predict that the Irish-American citizens will cheerfully and generously respond to the demands of their country.

In times of peace let me exhort you to be equally patriotic and solicitous for your country's welfare. You will belong, as you have always done, to all political parties. But let me urge you at all times to place patriotism before party, principles before men, and men before mammon. So guide your conduct in American life as to vote and act for the best interests of your adopted country. Place not expediency or personal profit before principle. Be guided only by the right. Vote for no party that advocates that which is detrimental to the best interests of the whole community. Vote for no man whose character is not clean and whose motives are not pure, and vote for no man nor party whose interests are selfish or prejudicial to the great mass of the community.

Stand for justice and the right. Stand for the preservation of those bulwarks of human liberty, the jury trial and the habeas corpus act. Stand for equal representation before the law. Stand against the aggressions of the great combinations and corporations which are becoming a menace to public safety. Stand against corruption and graft. Stand for equal rights to all. Thus will you maintain your power and influence in this community. Thus will you secure the respect and confidence of your fellow citizens. Thus will you make your influence for good felt in the community and transmit to your children the heritage of good citizenship.

THE WERNO LETTER.

MESSAGE TO THE LOCAL TRANSPORTATION COMMITTEE, CHICAGO CITY COUNCIL, APRIL 27, 1906.

Alderman Charles Werno, Chairman of Committee on Local Transportation, City Council, Chicago:

DEAR SIR: In response to your request, I submit the following informal suggestions as to the important work which lies immediately before your committee.

It is my profound conviction that the most important thing to be accomplished at the outset of this work is the establishment of cordial and efficient cooperation between the two great departments of our municipal government. I recognize fully the functions of the City Council in any disposition of the traction question. In it, under our system of government, is vested the power of legislation. Any additional legislation which may be required in connection with traction matters must be enacted by the City Council. Nevertheless the law has imposed upon me, as the chief executive of the city, the responsible leadership in the field of administration, in which are embraced many of the most important phases of the street railway problem, and I am charged directly with the duty of approving or disapproving the legislation which may be enacted by the City Council. It is, therefore, of the first importance that the City Council and the Mayor should, if possible, cooperate heartily and efficiently in carrying out the will of the people as already expressed, and in devising such additional measures as may seem to be for the public welfare. I believe the time has come when, without regard to differences of opinion upon many matters, this cooperation can and should be brought about. The first step toward this end is to arrive, if possible, at a clear understanding of the existing situation.

The work of your committee naturally divides itself into two great parts:

First. The accomplishment of municipal ownership of the street railway system, and

Second. The improvement of our street railway service while municipal ownership is being established.

The people of Chicago have repeatedly expressed their opinion in favor of municipal ownership of the street railway system,

and at the last election they definitely voted in favor of the ordinance which has been passed by the City Council for the purpose of providing the financial means by which municipal ownership may be accomplished. I assume that all of the members of your committee will fully accept the result of this election in good faith, and will cooperate, in all proper and reasonable ways, to carry into effect the will of the people.

At its last session, the City Council passed a resolution offered by Alderman Milton J. Foreman directing this committee to take up and consider the immediate improvement of the street railway service. With the purpose of this resolution I am in hearty accord. In my last message to the City Council I said: "Because of the condition of our traction lines, reduced to the lowest level of bad service under the system of private ownership which has prevailed, every element of delay in rehabilitation should be avoided as far as possible, with due regard for the street railway policy which the people have demanded and the enabling terms of the Mueller law." I assume that whatever measures may be devised to this end will be so framed as to provide for and protect, to the fullest extent, the right of the city to acquire the street railway system just as soon as the necessary means can be provided for this purpose. It is my firm conviction that the prompt and thorough improvement of our entire street railway service can be brought about by measures which will recognize and preserve this right. The only possible thing which may stand in the way of this result is the petition for rehearing which the street railway companies have filed in the ninety-nine-year litigation in the United States Supreme Court. This application, however, must, in the nature of things, be disposed of in a very short time, and need not delay the work of your committee in preparing at once for the steps which can be taken as soon as the rehearing has been denied. I think your committee can safely proceed upon the confident assumption that the decision already rendered by the Federal Supreme Court will stand as the definite determination of the rights of the companies under the ninety-nine-year act. Assuming this, the question for us to consider is, What practical measures can be taken, both in the direction of municipalization and improved service?

First, as to municipal ownership: The people of Chicago have, on several occasions during the past few years, voted overwhelmingly in favor of municipal ownership of the street railway system. Naturally the advocates of municipal ownership have not been entirely agreed as to the precise form in which this should be brought about. The statute under which it must be attained has not yet been passed upon by the courts, and the

precise steps which must be taken under that law cannot be determined with absolute assurance in the absence of a judicial construction. It is in some respects a new field of legislation, and the precise form of the ordinance or ordinances which can be passed under the law can be determined only by actual test in the courts.

The City Council and the people having already enacted an ordinance authorizing the issuance of special certificates under the so-called Mueller law, it is to the interest of the entire public to have this ordinance fairly and fully tested just as speedily as the proper steps to this end can be determined upon and carried into effect. The test should be one which will not merely determine the validity of the ordinance, but will also pass upon the validity and construction of the statute under which the ordinance is passed. It should be such a test as will satisfy future purchasers of these certificates as to their validity, and every question which can fairly be raised, which may affect the character of the certificates, should be included in the litigation, so far as it is practicable to bring this about. If the ordinance is held valid as I confidently expect, I assume that your committee will cooperate heartily in devising and recommending to the Council the further steps which may be necessary to carry it into practical operation and effect. If the ordinance should be defective, either in whole or in any essential particular, it is desirable to have this fact determined by the court, and to obtain from the court as clear an indication as possible as to how any such defect can be remedied. I assume that your committee will cooperate cordially in devising and carrying into effect the necessary measures to remedy any such defect. I assume, in other words, that the members of the City Council will accept in good faith the verdict of the people at the last election, and will do all in their power to carry out the will of the people as then expressed.

Fortunately, the decision of the Supreme Court in the ninety-nine-year litigation has thoroughly cleared the ground for municipal ownership. The Supreme Court has held, in effect, that the rights of the existing companies in the streets of Chicago are of three kinds:

A. The right to maintain and operate certain lines until the city shall acquire the same by purchasing the tangible property at its appraised value. The city now has the established legal right to purchase these lines at any time.

B. The right to operate certain lines, chiefly in the outlying portions of the city, under definite term grants, which expire at different periods during the next few years. Most of these grants terminate within a very short time. They can all be acquired

earlier by condemnation proceedings, if necessary or expedient.

C. The right to operate the remainder of the system at the sufferance of the city, subject to its order to cease operation at any time and without any obligation whatever on the part of the city to purchase the tangible property. The court has not determined what right, if any, the companies have to remove the physical property constituting the last mentioned lines and which is permanently attached to the streets in which it is located.

The situation created by this decision of the Supreme Court is as favorable to the city as could well be expected. Outside of the few term grants, the most favorable right which the present companies now can claim is the right to operate certain of their lines until the city is able to purchase the physical property. It is absolutely essential that nothing shall be done to enlarge these present rights of the existing companies, or to deprive the city of its option of purchase at any time. This must be conceded by those who favor and those who oppose municipal ownership.

I believe in the public ownership and operation of all public utilities; and have no confidence in the theory of public regulation; but even those who disagree with me must concede that public regulation can be efficient only, if at all, when coupled with the right of the public to terminate the privilege at any time upon fair terms and reasonable notice. The so-called Massachusetts system of the Charles Francis Adams report, which was once so strenuously urged as a substitute for public ownership, was based upon this theory. This is now the settled policy of the Federal Government, where it is the franchise-granting power, as in Washington City, Porto Rico and the Philippines. It has been upon this theory that in our own City Council even avowed opponents of immediate municipalization have agreed upon the necessity and entire propriety of inserting in any grant to a private company the reserved right of the city to take over the property if and when it may become desirable to exercise the option. The postponement of this right for a definite period in the various street railway ordinances prepared during recent years by the advocates of franchise extension has been defended only as a concession to the supposed necessity of compromising the ninety-nine-year claims. These claims will no doubt speedily be beyond the necessity for compromise. The city should therefore be given the right of purchase at any time, as a matter of correct theory, even if it did not possess this right by the decision of the Supreme Court. It does possess the right without being given it by any further act of the companies. This right should be jealously preserved until municipal ownership has been actually obtained. I may hereafter make some suggestions as to

municipal operation, for which a substantial majority of the people voted at the last election, but which on the face of the returns did not receive the necessary sixty per cent.

Second, as to the prompt and thorough improvement of the street railway service. The important question in this connection is whether the existing street railway service can be thoroughly and promptly improved without impairing the present rights of the city, as defined by the Supreme Court. I think this can be done. The controlling consideration must be that nothing shall be done which will impair the right of the city to acquire the street railway system as soon as it has established its financial ability to do so.

The first practical step to be taken, then, appears to me to be to request the existing companies at once to indicate to your committee whether or not they are able and willing to enter into an agreement to sell to the city all their tangible property and unexpired rights at a price to be now fixed, and to undertake the improvement of their service immediately, upon the refusal of their application for a rehearing in the United States Supreme Court, the city to have the right to take over this property at any time, upon reasonable notice. If they will join, if possible as one company, in the reconstruction of their entire system upon plans to be adopted by the city, with their concurrence, which shall provide for unified service, through routes, universal transfers and operation under revocable license, then they should be adequately assured of the payment of the value of their present property (to be now fixed, before rehabilitation) and additional investment when the city does take over the lines, and they should receive a fair return upon this present and future investment and some share of the remaining net profits while they continue to operate. Subject to these provisions, the profits of operation should go to the city as a sinking fund for the purchase of the property. The details of any such arrangement can all be worked out in conference, if the companies promptly indicate their acceptance of the fundamental principles involved. These conferences can and should proceed without waiting for the disposition of the rehearing application, so that action may be taken at once when it has been decided. The time has come for action; and if the present companies are either unable or unwilling to act within the lines indicated in the immediate future, the city should and must definitely turn to other sources for relief from conditions which are no longer to be endured.

In this later event, I suggest that arrangements be made at once with a construction company, along the general lines of the "contract plan," or otherwise, providing that such company

shall at once, upon the denial of the application for rehearing, proceed to take possession of the streets and parts of streets now occupied by the present companies, to which the city will then be entitled, and construct and equip in them the best possible street railway system upon agreed terms which shall include a fair construction profit. This arrangement need not take the form of a contract but of a license to operate such a system, under proper limitations, until the city shall pay the agreed price, the profits of operation to be applied first, to a fair interest return upon this price, and second, to the reduction of the principal amount. The city will be able to turn over to such a company the greater portion of the North Division and of the Chicago Passenger system and many other valuable streets. These can be taken possession of in such order as may be most desirable. On North Clark Street, for example, much of the work of installing an electrical equipment could proceed without interference with the present cable until the equipment is completed. As the term grants in the various parts of the city expire, they could be turned into the new system. If the right of the city to purchase the remaining lines upon appraisal of the physical property, under the Supreme Court decision and as provided in the original ordinances of 1858 and 1859, can be exercised with funds which may be furnished by this company or otherwise, we need not wait for the judicial construction of the Mueller law and the $75,000,000 ordinance to have the proposed company acquire possession and commence the reconstruction of the entire system throughout the city. The proposed construction company can be given such financial terms as may supply the necessary inducement for the capital required. It may be feasible to provide that much, if not all, of the investment can be permitted to run for a definite period as a lien upon the property; the city having the right to take over and continue to own, subject to this lien. At all events, the city can be given the right to acquire municipal ownership just as soon as it can obtain the necessary funds.

Municipal ownership cannot be acquired until we do this. There may be delay, but the final result will inevitably be the adoption of municipalization. I have no doubt whatever that when or before municipal ownership has been actually reached, municipal operation will receive the necessary majority of votes to comply with the statutory requirement. Meanwhile, under the plan suggested, the amount which the city will be required to pay will be continually reduced out of the profits of operation, and municipal purchase will be made that much easier of early realization.

Nor is the city dependent upon this method of securing prompt improvement of service. The present right of the companies is to operate in certain streets until the city elects to purchase. This right of operation, in the aspect most favorable to the companies, is subject to the police power, and the city has the undoubted right to compel any reasonable improvement which it may prescribe in the service. Any investment which the companies may make to improve their equipment will add to the value of their physical property, and this added value will be paid by the city when it seeks to take over the lines. Of course, the existing companies may attempt to resist any requirement which the city may make for the improvement of their service, and may force the matter into the courts; but such action can only delay for a little the inevitable result and provoke retaliatory measures, which will be to the serious disadvantage of the companies. I believe that the companies should be fairly treated in these matters so long as they themselves act with fairness toward the city. I have no desire whatever to confiscate one dollar of their property, even if I could do so. They should be given all that they are legitimately entitled to receive under the decision of the Supreme Court. It must be obvious to them, however, that any attempt upon their part to obtain more than this, by dilatory tactics or obstruction, can only result to their serious disadvantage.

Broadly speaking, the city is under no legal obligation to purchase any of their tangible property in the North Division of the city or in the Chicago Passenger Railway system, or in many other lines. If the companies insist upon war, they must expect treatment upon a war basis. If this means the relegation of much of their property to the scrap-heap, the responsibility will rest exclusively upon them. It has a certain value to the city of Chicago, to be used as part of a reconstructed system. That value the city should be willing to pay, providing the companies will immediately recognize the real situation in which they are placed by the decision of the Supreme Court, to which they themselves have appealed, and will agree to start at once upon the reconstruction of their entire system, so that the people of Chicago may have immediate improvement of service, while municipal ownership is being established. There would seem to be no serious difficulty in adequately protecting all of the money actually expended for this purpose, while preserving at the same time the right of the city to acquire the property at any time. If the companies are compelled to make this improvement under the police power, it is obvious that this will be subject to the city's right of purchase at any time. If the rehabilitation is to be

accomplished by agreement with the companies, the city's right of purchase at any time should be equally protected.

If it should be urged that the investors might be unwilling to expend so large an amount of money as would be required for complete rehabilitation, under an arrangement by which the city would have the right to pay it back at any time on demand, with definitely fixed reasonable notice, it may be well to consider whether this objection can be met by permitting the new investment to be secured by a lien upon the property, running for a definite period, of sufficient length to satisfy the investor. Of course, in this event the investor would not expect and would not be entitled to receive as large a return upon his investment as if the city were given the right to return the investment at any time. The city should, in such case, have the right to purchase at any time, upon payment of the agreed value of the present property, subject to the lien of the new investment. The companies should have a license to operate, and not a franchise for any definite term. They cannot well object to this arrangement, because the present property is held by them precisely upon this tenure. In other words, the companies hold their present property subject to the right of the city to take it over at any time. They can invest the new money upon the same terms, or the new investment can perhaps be made a lien upon the property, running for a definite period, which, of course, should have such provisions as to sinking fund and earlier payment as are consistent with approved methods of modern finance. The important thing is to make sure that this arrangement shall not impair the right of the city to proceed under the Mueller law.

As between these various methods of obtaining improved service, there are certain obvious advantages, both to the city and to the companies, in favor of proceeding by amicable agreement with the present companies, always preserving the right of municipalization. The city could probably secure in this way a more immediately complete reconstruction of the system and a greater immediate improvement of service. The price which the city would have to pay for the present property and future improvements would be definitely fixed at the present time, so that it would be known exactly how much money it is necessary to raise for municipal purchase. The work of reconstruction would proceed under plans and specifications prepared by the city and under efficient public audit and account. The city would avoid a further period of controversy and strife with the companies. It might obtain a larger percentage of the profits of operation than could be obtained by a system of car licenses or reduction of fares under the police power.

Upon the other hand, the companies would equally gain. They could immediately reconstruct and reequip their system in a manner which would undoubtedly very greatly increase the gross receipts, through the improved service and added facilities furnished the public. Their securities would be placed upon a stable basis, and they would be assured that the city would pay them for the actual value of their physical property, instead of compelling them to remove much of it from the streets. That this last mentioned consideration has very substantial value will be seen when it is recalled that their entire system in the North Division and many other lines are subject to no such requirement, and that the Chicago Passenger Railway Company is, by many of its original ordinances, required to remove its rails and restore the roadbed, at the end of its twenty-year grant, which has now expired. In pursuing a policy of procrastination or obstruction, the companies might harass the city for a time, but in the end they must face a far greater loss than would be involved in such reasonable concessions as the city would now demand.

In a word, subject only to the disposition of the petition for a rehearing in the United States Supreme Court, the city of Chicago is now in position to secure first-class street railway service, while proceeding with all practicable speed to bring about that municipal ownership for which the citizens have voted. It remains only for the two great coordinate branches of the city government to cooperate along practical lines, for the accomplishment of the result for which the people have so long contended.

Sincerely yours,

E. F. DUNNE.

OBJECTS TO ELECTRICITY RATES FIXED BY CITY COUNCIL.

MESSAGE VETOING AN ORDINANCE, JUNE 18, 1906.

To the Honorable, the City Council:

GENTLEMEN: I return herewith, without my approval, an ordinance passed at the last regular meeting of your honorable body, and published at pages 816 et. seq., of the current printed council proceedings, providing for a reduction by the Chicago Edison and Commonwealth Electric Companies of the rates charged by said companies for supplying electricity, fixing the maximum rates to be charged by said companies during a period of five years, and prohibiting transfers to and consolidation with foreign corporations, for the following reasons:

First. This ordinance permits, but does not require, a consolidation of the Chicago Edison Company and the Commonwealth Electric Company. The Chicago Edison Company has an unexpired franchise which will terminate in 1912, or about six years from date. The Commonwealth Electric Company's franchise does not expire until 1947, or forty-one years from date.

Under its ordinance the Commonwealth Electric Company pays to the city three per cent of its gross receipts. Under the Chicago Edison Company's ordinance, no compensation is paid to the city. Over three-fourths of all the electric light sold in the city of Chicago by these companies is furnished by the Edison Company without compensation to the city.

The permission to consolidate is a highly valuable concession as it will enable the consolidated company to issue stocks and bonds upon a forty-one year franchise which is a very valuable concession from the city to these companies. To give these companies the right to consolidate without compelling them to consolidate immediately places them in the position of being able to issue stocks and bonds upon the faith of the proposed franchise without compelling them to pay any compensation to the city for three-fourths of all the electric light sold by them in the city of Chicago for the next six years. The gross injustice of this provision is apparent upon its face.

Under its existing franchise the Commonwealth Company is not authorized to assign its interest to any other company, thus

making it difficult for that company to issue stocks and bonds. The ordinance under consideration gives the right to the Commonweatlh Company to assign, transfer and set over all its rights and privileges to any corporation organized under the laws of the State of Illinois. This valuable concession is also given without consideration.

Second. Permission is given in the ordinance, now under consideration, to both the Commonwealth Electric and the Chicago Edison Companies to purchase electricity for light and power from any and all other companies, and the provision for compensation is so involved and obscure as to make it very doubtful if the city of Chicago could recover on the gross sales of electricity so purchased.

Third. There is no provision in the proposed ordinance, securing the publicity of the books and accounts, showing the acts and doings of said corporations, so as to enable the city of Chicago to accurately ascertain what they may do in the future and what compensation the city is entitled to upon the gross sales of the companies. An amendment offered in the city council securing this right of publicity was voted down by your honorable body.

Fourth. There is no provision whatever in this ordinance as to the kind of meters the companies are to use, nor is any power reserved to the city to select meters or to supervise their selection.

Fifth. Section 2 of the proposed ordinance professes to contain a waiver on the part of the companies of all their rights under the ordinances of the city of Chicago or other municipalities which have been annexed to the city since the adoption of such ordinances. An examination of the language of section 2 shows that only those privileges are waived which might accrue after the acceptance of the proposed ordinance, leaving the rights accrued prior to the passage of the proposed ordinance unaffected.

Sixth. I am advised by assistant corporation counsel Hoyne that he advised the committee on gas, oil and electric light that, under the decisions of our Supreme Court, the Commonwealth ordinance of June 28, 1897, was not assignable, and that there was a possible doubt as to the validity of the whole ordinance in so far as it granted a privilege to endure for fifty years. If Mr. Hoyne's legal opinion is good law, the proposed ordinance would amount to a ratification by the city council of an ordinance of doubtful validity and would certainly make a nonassignable ordinance assignable and negotiable which is of immense value to the Commonwealth Company.

Seventh. In addition to the right of consolidation and the right to assign and transfer its rights and privileges to other

companies, given to the Commonwealth Company, the Commonwealth Company is also empowered, by the proposed ordinance, to string overhead wires upon poles throughout the whole of Hyde Park, a right it is not now entitled to.

For all these concessions and privileges given the Chicago Edison Company and the Commonwealth Electric Company, not a single dollar's worth of additional compensation is exacted in this ordinance for the city.

Eighth. The reduction of rates, provided for in the proposed ordinance, in my judgment, is inadequate in the present state of the manufacture of electricity for light and power, and unfair and unjust to the consumers of this city. The maximum rates provided for in this ordinance are fifteen cents a kilowatt hour for the first two years for the first thirty hours' consumption upon each light used during the month; thirteen cents a kilowatt hour for the same consumption for the last three years of the five-year term. All light consumed in excess of thirty hours per month for each light used for the first year shall be paid for at the rate of ten cents per kilowatt hour, nine cents for the second year, eight cents for the third year, and seven cents for the fourth and fifth years. From these prices a discount of one cent a kilowatt hour is allowed, if bill is paid within ten days after its date. These prices, I believe, in the present state of progress in the manufacture of electricity are unreasonable and unjustly high, particularly for the first two or three years of said period.

At the present time, electric light is being sold in the city of New York for 10c to 5c per kw.; the maximum allowed by law being 10c; in the city of Cleveland, the same light is being sold for 6¼c per kwh.; in Buffalo, from 4c to 12c per kw.; in one plant in San Francisco, for 3c per kw.; in Washington, D. C., for 10c to 5c per kw., 10c being the maximum allowed by law; in Rochester for 10c per kw., less ten per cent discount; in Denver, for 10c per kw.; in Los Angeles, from 4c to 11c per kw.; in Syracuse, from 5c to 8c per kw.; in Memphis, for 10c per kw.; in St. Joseph, Mo., for 5½c to 10c per kw.; in Lowell, from 3c to 8c per kw., with 20 per cent discount; in Grand Rapids, for 10c for the first hour, 8c the second hour and all over for 6c per kw.; in Richmond, Va., 10c per kw., with discounts.

I can find no valid reason why, in a great populous city like Chicago, electric light cannot be manufactured and sold as cheaply as it can be in Cleveland, Syracuse, or Lowell, Mass. Indeed, Mr. Beale, the attorney for the companies, in his written argument before the committee on gas, oil and electric light, dated March 26, 1906, admitted that the average rate received by the

companies from sales during the last fiscal year, excluding the amount of electricity sold for power to the street railway companies, was 7.24 c per kwh.

Upon this average charge for electric light sold by the companies, they have been in the past enabled to pay eight per cent interest upon their entire capitalization, set aside a sinking fund for repairs and lay by a large surplus for improvements and betterments. If this has been the history of the financial success of the companies, upon an average rate of 7.24c per kwh., how can it be contended that the prices fixed in the proposed ordinance are reasonable to the public? It is contended that the average rate for the five years provided for in the ordinance, with discount of 1c per kwh. allowed, will be about 9c. But upon the rates established in this ordinance the average rate for the first two years will be over 10c per kwh. net. And yet at the present time New York City, Cleveland, Washington, D. C., Rochester, Denver, Syracuse, Memphis, St. Joseph, Mo., Lowell, Grand Rapids and other American cities are getting their electric light at 10c per kw. and less—in some cases running down as low as 3c per kwh. for large consumers.

The Legislature have given the city council the right, independent of any agreement or contract it may make with these corporations, to fix a reasonable rate to be charged to consumers for electric light. Such being the fact, unless valuable concessions in the way of reduction of rates are made by the companies to the public in consideration of a contract ordinance giving them the right of consolidation, the right of transfer, and assignment and the right to operate in Hyde Park upon overhead wires, which rights are of inestimable value to these companies, no contract ordinance giving such privileges should be passed.

The rates established in the proposed ordinance, in my judgment, are not just to the public, and such being the case, I would respectfully advise your honorable body that, unless you can obtain much more material concessions in the way of reduced prices for electric light given to consumers in the city of Chicago, you should decline to enter into any contract ordinance with these companies, but enact a police power ordinance, such as is authorized by the statute of the State, fixing the rates to consumers for all companies furnishing electric light in the city of Chicago, giving no concessions of any character to these companies.

In my judgment such an ordinance can be passed, fixing rates considerably lower than those fixed by the proposed ordinance, without at the same time giving valuable concessions to the present companies.

For the foregoing reasons, I withhold my approval of this ordinance and respectfully suggest that your honorable body pass a simple ordinance, under the statute of the State, fixing maximum rates for the sale of electricity in the city of Chicago which will apply to these and all other companies selling electric light in this city.

PRAISE FOR BUILDERS OF A PUBLIC BUILDING.

ADDRESS AT THE CORNER STONE LAYING OF THE COOK COUNTY COURTHOUSE, SEPTEMBER 21, 1906.

Mr. Chairman, Ladies and Gentlemen:

It gives me great pleasure to say a few words of congratulation to the citizens of Chicago and Cook County upon the laying of the corner stone of what will probably be one of the largest courthouses in the United States, and to congratulate our citizens upon the rapid progress toward the completion of this building.

It gives me great pleasure to say a few words of commendation and praise of the public officials who have been charged with this important undertaking. They have shown from the start great business capacity, energy and honesty in the removal of the old courthouse and in the rapid erection of the new.

In these days of rapid building, when buildings are demolished and rebuilt with extraordinary celerity, the removal of the old courthouse that occupied this site last year and the erection to its present stage of this building has been unparalleled as far as public structures are concerned. No private person or corporation could have acted with greater energy, earnestness and diligence than have the president of the county board, Mr. Brundage, and the county commissioners of this county. And I am pleased, on behalf of the citizens of this community, to extend to them our thanks for the energy they have displayed and our congratulations upon the approaching culmination of their labors.

I also congratulate the community, and say to you, Mr. Vice President, that when you lay the corner stone of this building, it is the consensus of opinion of all classes of people in this community that you will lay honest mortar upon an honest block of granite, and that in this building there will be found no trace of boodle, graft or corruption.

The erection of this building at this time is typical of the wonderful progress of the city of Chicago. In 1880, about the time our last courthouse was erected, there were only about 500,000 people in this city. At the time the old courthouse was erected it was regarded as a monumental structure and one that

would satisfy the public needs of our citizens for a century to come. And yet in about a quarter of a century this city, grown to two million people, finds that it is necessary to raze this old structure to the ground and replace it with a building commensurate with the rapid growth of the city. The old courthouse was removed, not because it was antiquated or out of date, although it was antiquated and out of date, but because it had not sufficient capacity to accommodate the courts and the public officials of this community.

It was my idea, before this building was started, that the needs of this great and growing community required the whole of the block on which we stand and that a courthouse or municipal building should cover the entire block. Unfortunately, the financial situation of the city was such that the city could not cooperate with the county in such a way as to permit either one of them to occupy the whole of the courthouse square, but I am confident that our city will continue to grow as rapidly in the future as in the past and that my views that the whole of this square is needed for public use as a courthouse will be vindicated within a short time, and that it will become necessary to erect a building of like character upon the other half of this square which will be devoted solely and exclusively to county uses in less than a quarter of a century.

Let me hope that the erection of this building, by honest public officials, in an honest manner, will be typical of the future life of this city and this Nation. Let me thank you, Mr. Vice President, on behalf of the citizens of Chicago, for your courtesy and kindly consideration in leaving your many important public duties and coming to our city for the purpose of assisting us in laying this corner stone.

We are a busy community. It is frequently said that we are constantly engaged in racing for the "Almighty Dollar," and that we are constantly on the go. But whenever the President of the United States or the Vice President of this great country honors this city with his presence, as you have done, we cease our business, throw down our tools and extend to him a hearty and cordial welcome.

Again I thank you, Mr. Vice President, for your courtesy, and again I congratulate Mr. Brundage and the board of county commissioners upon the efficient, energetic and honest way in which they have carried on this great public undertaking.

PRIVATE MONOPOLIES FOR PRIVATE GAIN.

ADDRESS DELIVERED IN DENVER, SEPTEMBER, 1906.

Mr. Chairman and Gentlemen:

In the year 1900, while on a visit to Europe, I sent a telegram from Interlaken to Lucerne in Switzerland. It cost me somewhere about eight cents in American money. I was astounded at the smallness of the charge and, upon making inquiry, discovered that the telegraph system of Switzerland was in the hands of the government and operated by it. This started me upon a train of thought and investigation. If a publicly owned telegraph system in Switzerland could be operated at such prices, why should not the United States be able to do likewise?

Upon pursuing my investigation, I discovered that every civilized country upon earth except three, Honduras, Costa Rico—if my memory serves me right—and the United States, owned and operated their own telegraph systems. I further discovered that not only were the telegraph systems of the world being operated as public utilities in public hands but that, in many countries, the railroads, street car systems, electric light systems, gas systems, water systems, and telephone systems were being operated by the public, and I found that there was reason why such utilities should be in public instead of private hands.

When one seeks to do business with his butcher, his grocer, his dry-goods merchant, his doctor, his lawyer, or his plumber, he stands at arm's length and has the right to make a free and voluntary contract. If the character of the goods that he seeks to purchase is not satisfactory or the price is unreasonable, he may go elsewhere. He is not bound to deal with any one person or corporation in the purchase of such necessities of life. But when he comes to utilize the telegraph, the telephone, the street car, the steam railway car, to purchase gas or electric light, he finds himself deprived of the right of free contract. He must take such service as is offered him and pay the price demanded, or go without.

If his gas is of deficient quality or the price is too high, he must either pay the bill or have his meter jerked out. If his telephone service is unsatisfactory or the price unreasonable, he must stand and deliver or have his telephone wires cut. If he objects

to the service, given him upon a street car or the price charged, he must either pay or be thrown off. In other words, in dealing with public utility companies and in purchasing from them these latter day necessaries of life, he is deprived of the right of free contract and must take such service as is offered and pay the price demanded. He is face to face with a monopoly, and individual protest or objection as against such a monopoly is absolutely unavailing.

These monopolies in private hands—as most of them are in this country—are conducted for the private gain of the stockholders. The aim of the management is to make money—to give as little service for as high a price as can be exacted from the community. The very fact that in this country public utilities have been and still are in private hands has given rise to serious abuses—overcrowded street cars, unclean street cars, irregular schedules, deficient service. In the case of gas, telephone, and electric light companies, we have excessive charges, unsatisfactory service and insolence on the part of the officers and agents of the companies, when complaint is made either as to price or the character of service.

This state of affairs has brought about, in many cities of the United States, a growing dissatisfaction on the part of the public, and this dissatisfaction has developed into an agitation in favor of the ownership and operation of these utilities by the public. This agitation has grown with tremendous strength within the last few years, and today, throughout the cities of the United States, we are face to face with the question as to whether municipal ownership of public utilities must be put into force to remedy the evils of private management.

Strange to say, this country, which has been in the vanguard of progress in all other matters, has been among the last among the civilized countries of the world to take up and seriously discuss this question.

In 1894, the dissatisfaction, arising out of the mismanagement and rapacity of private utility corporations, brought about a revolt in the British empire, and commencing in the city of Glasgow, that protest has worked a wondrous change in the operation of public utilities. Up to 1894, the ownership and operation by private companies of public utilities, such as street cars, electric light plants, gas plants, and telephone systems, was almost universal throughout the world. But within the last ten years, city after city and nation after nation has turned from the operation of public utilities by private companies to the operation of these same utilities by the public.

On February 18, 1904, as is shown by the report of the American consul, 142 cities of Great Britain owned and operated their own street car systems. That number has been largely increased

since then, and today there are 24 more cities now constructing municipal street railways. In Great Britain and Ireland, 282 cities now own and operate their own gas works. In the same counties, 334 cities and towns are operating their own electric light systems, leaving only 174 in that kingdom which are privately owned.

A great number of British cities are owning and operating their own telephone systems and, within the last few months, the government of Great Britain made a large appropriation for the taking over by the general government of the telephone systems of the kingdom.

This same movement towards the public ownership of these utilities has also proceeded with giant strides throughout Europe and Australia. Mr. Charles E. Russel, in the last number of Everybody's Magazine, in commenting upon this fact, remarks:

"All over Europe, private corporations have been dispossessed of the ownership and operation of street car lines, gas, water, and electricity supplies, railroads, telegraphs, telephone, and even mines. So far has this gone in Europe, and particularly in England, municipal government is now accepted and understood to include definite functions of trade and transportation on behalf of the people. The constant tendency everywhere is to extend the scope of such functions. The theory of public ownership may be good or bad; I shall not try to establish either side of a question with which I have here nothing to do; but it is an interesting fact that I have yet to find or to hear of more than one community that, having tried any phase of it, would be willing to return its utilities to private hands. Hardly shall any one study the subject on the ground and escape the conclusion that in Europe, public ownership is regarded as something beyond experiment and has become a demonstrated success."

Continuing, this same writer declares:

"Private ownership of public utilities seems doomed in Europe. The practical demonstrations are all against it. The most obvious trend of thought is surely destructive of it. Originally in the cities private ownership was the rule; in a few years it will be a rarely found exception. In European cities, at least, the people have fully satisfied themselves that they can do many things they formerly had done for them and do them better and more cheaply. That settles the fate of private ownership."

This wonderful change that has taken place practically within the last ten years in Europe has resulted from the fact that wherever any city has taken over a street car line, a gas works, an electric light plant, a waterworks, a telephone system, or other public utility of that character, it has found that almost invariably the change has been accompanied by tremendous advantages to the public.

It has produced in almost every case the following extraordinary results:

First. It has reduced the cost of the utility to the public.

Second. It has increased the efficiency of the service. Lines and plants have been reequipped according to modern methods, the service has been more regular, the schedules more frequent and in the case of street cars, there has been less overcrowding and better accommodation given to the public. In Australia, under public management, I am credibly informed, there has not been a railroad collision in many years.

Third. In almost every case the wages of the men who operate these utilities have been increased.

Fourth. In nearly all of these cases the hours of the men employed in operating these utilities have been reduced.

Fifth. It has been found that, wherever the public has taken over such a utility and operated the same, strikes were a thing of the past.

Sixth. The last and probably most important of all is that by the taking over and operation of these utilities by the public, graft and corruption have been eliminated.

Such has been the record of the municipalization of these utilities in Europe. The people, where the change has taken place, are thoroughly satisfied with municipal management, and, as Mr. Russell says, there is but one case in all Europe where the public, having taken over any public utility, has reverted to private ownership.

This one case is so obscure and peculiar that it would be well to refer to it. Turnbridge Wells, England, is the only city that has tried public ownership and abandoned it. For three years it operated a telephone system of its own in opposition to the National Telephone Company's exchange. The company's rate was $40 a year and two cents a call. The municipality cut this to $29.37 a year for an unlimited service, or $17.50 and one cent a call. The first year's operations left a net surplus of $650.00. The National Telephone Company organized a body called the Rate Payers' League and carried on a skillful campaign by which it won a majority in the town council. Whereupon an ordinance was passed leasing the public lines to the company. This was simply a case where a private corporation obtained control of the members of the city council, a thing which is quite common in the United States. The single, obscure exception in Europe merely proves the rule that the public operates public utilities more to the satisfaction of the people than any private interest.

I have stated briefly the advantages resulting from public ownership throughout Europe. It would be well for me to substantiate these general statements by facts and figures.

Early in 1905, before I was nominated for mayor of the city of Chicago, I addressed a circular letter to the managers of the street railway system in Liverpool, Glasgow, Leeds, Sheffield, Hull, Salford, Aberdeen, Cardiff, Sunderland, Dundee and other British cities.

In this circular letter I asked what were the results of the municipalization of their plants. From not one of the cities did I receive an adverse report. The reports were uniformly favorable to municipal ownership and operation.

In Liverpool, I was informed, fares were reduced 50 per cent and passengers carried four times as far; electricity replaced the horse; cars run at intervals of two to four minutes; forty miles of new tracks laid; wages increased 10 to 15 cents per day; hours reduced from fourteen under private companies to ten hours per day; six-day week instituted; uniforms furnished free; medical attendance and sick benefits, with death benefits to widows; mileage increased 102.33 per cent; passengers increased 203.68 per cent; receipts increased 86.05 per cent; net revenue under company per car mile, 5 7-10 cents, under city, 8 cents. Public fully satisfied; has forced neighboring roads to improve their systems.

In Glasgow, fares were reduced over 50 per cent; service improved; electricity replaced the horse; cars more frequent and comfortable; wages increased in all grades 25 per cent; hours reduced from twelve to nine or less; six-day week instituted; uniforms furnished free; five holidays per year with pay; bonuses to employes for freedom from accidents; traffic increased from 54,000,000 to 188,962,610 in ten years.

In Leeds, fares were reduced 62 per cent; electricity replaced the horse and steam; wages raised four cents per hour for drivers, 5¾ cents per hour for conductors; hours reduced 17 and 26 hours per week; uniforms furnished free; 1 cent extra per hour to employes for freedom from accidents; 26 per cent of employes get bonuses for working holidays; in three years increased from 8,218,858 passengers per year to 60,739,234 per year; cost of operation, 11 cents per mile; people completely satisfied.

In Sheffield, fares were reduced 50 per cent; service improved; lines extended; cars run more frequently; wages increased 8 cents per hour; hours reduced about 45 per cent; uniforms furnished free; annual holidays with pay; conditions of labor much improved; income increased from $175,000 to

$1,200,000 per year; cost of operation, 13 cents per car mile; public thoroughly satisfied.

In Hull, fares were reduced fifty per cent; electricity replaced horse; cars run at three-minute intervals, formerly ten minutes; wages increased 15 to 50 per cent; hours reduced from 80 to 54 hours per week; one day off per week; uniforms furnished free; traffic increased 628 per cent; cost of operation, 12 cents per mile, excluding sinking fund; people fully satisfied.

Practically the same report was made to me from Salford, Aberdeen, Dundee and other cities. In no single case was there any report of the failure of municipal ownership and operation, or that the people were dissatisfied with the change. Recently gathered statistics show that of 46 British cities, operating municipal street cars, 35 earned $3,823,865, net profits, per annum, while the aggregate losses of the other eleven operating at reduced fares were only $142,000 per annum in the aggregate. Such has been almost invariably the history of the effect of municipal ownership and operation of public utilities, not only in England but throughout entire Europe and in Australia. If it has had that effect in Europe and Australia, why should it not have the same effect here?

Municipal ownership and operation is no new principle in American cities. It is true that it has never been extended, except in the case of the Brooklyn bridge, which by the way was a success, to the operation of street cars by a municipality. But American cities for years have been operating other public utilities with the invariable result that they have been efficiently and economically managed to the entire satisfaction of the people.

Thousands of American cities operate their own waterworks. Hundreds of them operate their own electric light plants. Many of them operate their own gas plants. Nearly all of them operate their police departments, fire departments, park and sewerage systems. Have you ever heard of a city in America operating its own police department, fire department, water department or sewerage system, that would be willing to go back to private ownership? Municipal ownership of these utilities by American cities has produced exactly the same results that have followed the municipal ownership and operation of street cars, electric light systems, and gas works in Europe and Australia.

The American cities that operate their own waterworks, electric light plants, and gas plants, have invariably reduced the price of these utilities to the public. They have given as good, if not better, service than the private companies engaged in the same line of business. As a rule, they pay better wages. As a rule, the hours of the men are shorter. Have you ever

heard of a strike upon a police or a fire department or a water department in any city that has managed these utilities? Once an American city has taken over its waterworks, electric light plant or any other public utility, have you ever heard of any corruption in and about the procurement of an improvement or enlargement of these utilities?

I know not what public utilities you manage in your city, but in the city of Chicago I can cite you the instance of our waterworks and our electric light plant.

The city of Chicago has been operating its own waterworks for over half a century. It is today selling water to its citizens as cheaply as any city of its size in the country. We have within the limits of our city a splendid opportunity to test the efficiency and economy of a publicly and privately owned water plant. By annexation to the city within recent years we have acquired certain territory in which private companies are operating water plants.

To the west of the city, and now within the city limits, the former village of Austin was, until within the last three months, supplied by a private company. That company charged three and four times the rate charged by the city waterworks to other citizens of the same community. In the village of Rogers Park, now within the city limits, a private company has been and now is furnishing water to the citizens of that portion of the city. The private company charges twenty cents per thousand gallons and charges citizens in addition thereto for all connections made between the house and the main in the streets. The city of Chicago, in the same neighborhood, is selling water to its citizens for ten cents per thousand gallons and makes all connections free of cost to the citizens.

The city of Chicago owns and operates its own municipal electric light plant. It has gone very extensively into this business within the last eight years. We are not empowered to sell electric light to citizens, but are simply authorized to light our own streets. Chicago has now probably the largest municipal electric light plant in the world. It has extended its electric light system very rapidly throughout the streets of the city and is today manufacturing electric lights for about one-half the cost of electric light which was charged by private companies when the system was instituted. The citizens of Chicago have reached the conclusion that they are just as capable of operating a street car system as they are of operating an electric light plant or a waterworks.

Under private management we have in Chicago today probably the worst managed and most scandalously conducted street

car system in the world. There is no pretense of giving decent accommodation to the public. Our cars are dirty and insufficient in number. Our citizens are crowded like herrings in a box. Our schedules are irregular and our service at night is either scandalously insufficient or nonexistent. The owners of these companies, in defiance of public sentiment and every rule of decency and justice, have been managing these systems so as to mulct the public of their nickels without any attempt to give a decent return therefor.

The citizens of Chicago have cried out against this sort of treatment. They have protested and protested in vain. At last they have declared by a most emphatic vote that they will have no more of it and that the municipality must take over and operate its street car systems.

Thrice has the voice of the people been heard at the ballot box. In April, 1902, they declared for ownership by the city of Chicago by a majority of 142,000 as against 28,000. In April, 1904, they declared for the adoption of the Mueller law, which was a law enabling cities of the State to own street car systems, by a vote of 122,000 to 50,000. Again in April, 1905, they declared emphatically against the extension of the franchises to the present companies by a vote of 152,000 to 59,000. At the same time they elected a mayor upon a platform which declared for municipal ownership at the earliest possible date. And yet, although this election occurred in April, 1905, the will of the people is still set at defiance by the tremendous influences that are behind these traction companies and other utility corporations.

The companies, which procured the passage of the infamous Allen and Humphrey bills by wholesale bribery and corruption, are still exerting their malign influences against the carrying out of the will of the people. By influences, known only to themselves, they have succeeded in getting almost two-thirds of the city council to vote in defiance and contempt of the public demand.

The committee on local transportation, backed up by almost two-thirds of the city council, have been industriously engaged for the past two or three months in framing ordinances extending franchises of the present companies for the next twenty years. The aldermen who are engaged in this work seem to have behind them all the capitalistic influences of the city. They have amassed behind them nearly all the papers of the city, and all the influences of the banking and financial circles. Their leaders in the council are the welcome guests of the swell clubs of the city and every influence that combined and intrenched capital can exert is being vigorously asserted against the carrying out of the will of the people.

In response to the popular mandate, I have sent message after message to the city council, calling its attention to the vote of the people and asking it, in respectful language, to give heed to the popular voice as expressed at the polls. All such messages have been treated with contumely and disdain. The Chicago papers, I might say, have a standing headline, which becomes useful every Tuesday morning after the council meeting of Monday night. It reads in big, black letters: "The Mayor Snubbed Again."

I appreciate now, as I appreciated when I became a candidate for mayor, the tremendous opposition that would be exerted in the city of Chicago against the municipalization of the street cars of the city.

The public utility corporations of Chicago, including the traction companies, the tunnel companies, the gas, telephone and electric light and power companies of the city are stocked and bonded for about $395,000,000, $170,000,000 of this tremendous aggregate being bonds, the remaining $225,000,000 being stocks. There are 2,000,000 people in the city of Chicago. Dividing this $225,000,000 worth of stocks among those two million people would give $112.50 worth of stock to each man, woman and child in the city. If this same proportion were carried out among the 80,000,000 of the United States, there would be at least $9,000,000,000 worth of stocks now held by stockholders of public utility corporations in the United States. If the municipal ownership movement wins—as it will win—in the city of Chicago, it will win throughout the United States, and that means the extinguishment of this $9,000,000,000 worth of stocks from the stock markets of this country.

Is it to be wondered at that the traction companies and other public utility corporations would meet in convention, as they recently did in Philadelphia, and pledge themselves to oppose with all the forces at their disposal the spread of the municipal ownership sentiment throughout the United States?

Is it to be wondered at that, after three tremendous public votes in the city of Chicago, we find these powerful and malign influences still exerting themselves in every possible way to prevent the realization of the people's demand in that city? Every man and corporation in the United States who holds stock in the traction companies and other public utility corporations is interested in making this a life and death struggle in Chicago for the preservation of his properties.

They have influence in the banks, in the counting houses, among the merchant princes, in the newspaper offices and with some of the members of the city council, and all this influence is being exerted and will be exerted steadfastly, persistently and defiantly

to check the popular demand for municipal ownership. But it will not avail.

The American public is a reading public. The American public is an intelligent public. They know that what has been accomplished in Europe and Australia can be and will be accomplished in the United States. The electorate of America is just as honest and intelligent, aye—in my judgment—as honest and more intelligent than in many of the countries that have already established the ownership and operation of public utilities.

The financial powers of New York, Philadelphia, Boston, and Chicago may be amassed in a solid phalanx to stop the onward march of municipal ownership, but they might as well be allied for the purpose of sweeping back the waves upon the ocean. The trend of public thought and public desire is towards the ownership and operation by the public, because public ownership will put a stop to rapacity, corruption and graft.

The issue has arisen in many cities since the Chicago election. Wherever it has arisen—in New York, in Cleveland, in Toledo and other American cities—it has beeen decided by a vote in favor of the people's desire for municipal ownership.

Mayor Johnson was elected in Cleveland on that issue. Brand Whitlock was elected mayor of Toledo on that issue. And upon an honest count, William R. Hearst was elected upon that issue in New York, despite the fact that he had to fight a corrupt combination of the two political machines of that city and was without any organization or political body behind him.

Municipal ownership has come to this country as it has come to Great Britain, Germany, Austria-Hungary, Norway, Sweden, Switzerland and France, and it has come to stay. The machinations and tremendous influences exerted by private interests may retard for awhile in this country, as it retarded in other countries, the onward progress of this movement. But the outcome is inevitable.

The operation of public utilities must, in its nature, be a monopoly, and therefore either a private or public monopoly. A private monopoly in its very nature must be rapacious. It is conducted for the financial benefit of the men who hold the stock in the company. A public monopoly is not conducted for the financial benefit of any individual but for the benefit of the community as a whole. The aim of a private monopoly being to make money, it is conducted upon the plan of giving the least service for the largest return. A public monopoly being conducted for the public good, promptly aims to give the best service at the lowest possible price. A public monopoly is benevolent. A private monopoly is rapacious and indefensible. I know of no circumstances under which a private mo-

nopoly should be tolerated in a republic, where the aim of the government is to benefit the whole community alike.

You may have observed the effect of private monopoly during the years that have passed. The people of America, as well as the people of Europe and Australia, have at last called a halt. The demands of the people to put an end forever to graft and corruption, reduce the rapacity of private corporations, give fair treatment to the working men who operate these utilities, both in the way of decent wages and decent hours, to abolish strikes, to abolish bribery in common councils and legislatures, by putting into force the principle of municipal ownership, at first feeble, has swelled into a roar whose reverberations are heard in the council chambers of the land as well as in the temples of finance.

In my judgment, the people are in a condition to be no longer trifled with. No longer will they be despoiled and ill treated as they have been in the past by private utility corporations and the sooner men in public life give heed to the demands of the people for the taking over of public utilities, the longer will be their official life as the people's representatives. If they continue to stand in defiance of the people's will, in my judgment, they may as well compose their political obituaries, and prepare for their extinction in the political life of this country.

ADVISES CITY FIXING PHONE AND ELECTRIC RATES.

MESSAGE TO THE CHICAGO CITY COUNCIL, SEPTEMBER 24, 1906.

To the Honorable, the City Council:

GENTLEMEN: Shortly prior to the adjournment of your honorable body for the summer vacation, it had under consideration the passage of an ordinance regulating the charges for electric light and power in this city.

Your honorable body passed an ordinance in the nature of a contract ordinance, fixing certain rates and giving certain concessions to the Chicago Edison Company and to the Commonwealth Electric Company. In the exercise of my official duty, I was not able to approve this ordinance, and the same failed of passage over my veto.

I would respectfully suggest that, as the matter of fixing just and reasonable rates for electric light and power is of great public interest and involves a great many citizens of this city, your honorable body pass an ordinance, not in the nature of a contract ordinance but one framed pursuant to the terms of the act of the Legislature, empowering the city to regulate the price of electric light and power, after your honorable body has made full investigation into the question as to what are reasonable rates for the same.

I would further recommend that your committee on gas, oil and electric light at once proceed to ascertain and determine what are just and reasonable rates, and prepare an ordinance establishing these rates for all electric light and power companies in the city of Chicago.

Respectfully,

E. F. DUNNE, *Mayor.*

September 24, 1906.

To the Honorable, the City Council:

GENTLEMEN: For some years past the citizens of Chicago have been complaining, in my judgment justly, of excessive telephone charges made against them by the telephone companies of this city. These complaints have been principally directed against the Chicago Telephone Company.

Recently this company, in obedience to the mandate of the Supreme Court of this State, has reduced the rates hitherto charged by said company, and I am informed has reduced other charges not covered by the Supreme Court decision. I am further informed that this company is ready to consider a further reduction of telephone rates. To what extent it is willing to reduce such rates, I am not fully informed.

Another company, recently incorporated, has evinced its willingness to construct and operate a telephone system covering the whole of the city of Chicago at rates very much lower than those charged by the Chicago Telephone Company, and to give the city of Chicago free telephone service and one-fourth of the net profits earned by said company.

This latter company claims that it is financially able to construct and maintain a telephone system, covering the entire city, and to operate the same successfully. The time is ripe, in my judgment, for action by your honorable body in the matter of determining what are just and reasonable rates for telephone service in the city of Chicago, and to bring about a telephone service in this city which will give to the public efficient service at reasonable rates, and at the same time secure to the operating company a fair return upon the capital invested in the enterprise. In my judgment, the telephone service of a city is essentially a monopoly, and until the city is empowered by law to undertake the giving of telephone service to its citizens, it should be performed by one company, and that company should be compelled to give efficient modern up-to-date service at just and reasonable rates, which rates should be much below the rates hitherto imposed upon the citizens of this city.

I would, therefore, respectfully recommend to your honorable body that the matter of determining what are just and reasonable rates to be charged the city of Chicago for telephone service should be referred to some appropriate committee or to a special committee, constituted for that purpose, and that the said committee be empowered at once to secure the assistance of competent telephone engineers to ascertain and determine what are just and reasonable rates for telephone service in this city, and having ascertained what these rates should be, to formulate a policy which will secure efficient modern service at just and reasonable rates, which policy should reserve to the city the right to operate a municipal telephone plant when empowered so to do by the Legislature of this State.

THE CIVIC PROGRESS OF CHICAGO.

ADDRESS BEFORE THE CHICAGO COMMERCIAL ASSOCIATION, OCTOBER 6, 1906.

Mr. Chairman and Gentlemen:

When last we met at your banquet board, we interchanged views as to the civic administration of our great and much beloved city. Again you have asked me, on this occasion, to address you briefly and I will avail myself of the opportunity to give you, my fellow citizens, a record of the civic progress of the city during the year that has ceased.

Upon occasions of this kind, it is well that we should turn to the year that has passed to ascertain what has been its civic history, and in doing so tonight, I think we can truly congratulate ourselves upon the history the year has written for the city of Chicago. Let me call your attention briefly to a few facts and figures.

The record made by the department of police during the past year has been a notable one. During the first eight months of 1906, 54,458 persons have been arrested, an increase of more than 8,000 over the same period in 1904 or 1905. Fines imposed in police courts were as follows:

1904, 8 months	$269,645
1905, 8 months	281,265
1906, 8 months	368,456

During the first eight months of this year 6,000 arrests have been made for violations of the law against gambling. The following shows the amounts of stolen property recovered by the police department during like periods of the past three years:

1904, 8 months	$224,600.06
1905, 8 months	118,254.64
1906, 8 months	273,259.32

Two thousand three hundred seventy-one persons were held to the grand jury by police magistrates during the first eight months of 1906 as compared with 2,265 for the entire year of 1904 and 2,294 for the entire year of 1905. Comment upon the energy and vigor of the police department, as shown by the above figures, seems to be unnecessary.

The department of health has also made great progress during the year. On August 7, 1905, within a few weeks after assuming charge of this department, the present commissioner of health, Dr. Charles J. Whalen, reestablished a department of inspection at the Union Stock Yards and urged greater activity and thoroughness in the inspection of all kinds of food supplies, especially in retail stores and markets.

As the result of this order an aggregate of upwards of 3,487,000 pounds of foods "unfit for human consumption" and having a retail value of nearly $300,000 was condemned and destroyed by this department during the succeeding five months. During the preceding seven months the total amount of such food condemned and destroyed amounted to less than half a million pounds, valued at $7,718.

The total amount of foodstuffs condemned and destroyed by the health department during the first eight months of the year 1906 was 5,081,262 as compared with 798,748 for the same period of 1905, being an increase of 534.4 per cent. The health department formulated and succeeded in having passed on July 2, 1905, an ordinance providing for the inspection, regulation and license of restaurants. Pursuant to this ordinance over 1,400 restaurants and eating houses have been since inspected and over 1,000 of them have been placed under license. The result has been a wonderful improvement in the sanitary and hygienic conditions of the restaurants of the city and a marked change in the quality and character of the food served.

The commissioner of health has also endeavored to secure the passage of an ordinance regulating cold storage warehouses, requiring such warehouses to stamp thereon the date of admission and the date of withdrawal of all provisions entering or leaving their establishments. So far he has been unable to secure the passage of this much needed ordinance.

Comparing the first eight months of 1906 with the corresponding period of 1905, the laboratory of the department shows 39,787 examinations made this year—an increase of 37.4 per cent. Thirty-seven thousand eight hundred sixty-seven samples of milk and cream were analyzed, as against 18,317 last year—an increase of nearly 78.5 per cent.

In the division of sanitary inspection, increases of 29 per cent are shown in the number of new buildings inspected in course of construction; of 426 per cent in work places inspected; of 23 per cent in notices to abate nuisances; of 30 per cent in abatements secured; of 61 per cent in suits instituted against violators of sanitary ordinances.

In the division of contagious diseases, the notification of the existence of such diseases has been increased two-thirds, thus en-

abling the bureau of disinfection to nearly double the volume of its work—from a total of less than 11,000,000 cubic feet to upward of 21,000,000 cubic feet of space disinfected.

The use of the free public baths has increased 26.7 per cent—from 472,728 in the year 1905 period to 599,677 in the 1906 period.

Under the present commissioner of buildings, the law has been honestly and rigidly enforced and during the past year great work has been accomplished by this department. From September 1, 1905, to September 1, 1906, 10,285 buildings have been erected, as compared with 7,920 for the same period in 1904-5, an increase of 2,365 having a frontage of 38,025 feet and an increased value of $11,121,440. The number of permits issued for 1905 was 15,369, while the number for 1906 up to date was 21,333. During 1906 the department inspected 68,406 buildings, an increase of 19,862 over 1905.

Strenuous efforts have been made by this administration to abate the smoke nuisance. Upon entering office as mayor, I found the city reeking with the grime of soot and smoke and I found an ordinance in the code which was practically worthless. I promptly sent a communication to the council, pointing out the defects of the ordinance and recommending that an efficient ordinance be passed. After considerable delay in the council, I succeeded in having a new smoke ordinance passed. The ordinance is now in effect and is being rigidly enforced by my special directions, with the result contained in the following figures:

	No. of complaints made.
1904 (12 months)	473
1905 (12 months)	444
1906 (to date)	575

	Suits brought.
1904 (12 months)	404
1905 (12 months)	488
1906 (to date)	1,100

	Fines imposed.
1904 (12 months)	$ 4,366.00
1905 (12 months)	5,500.00
1906 (to date)	18,000.00

You have probably noticed in your business as merchants the remarkable change in the matter of grime, soot and smoke which has taken place within the last eight months. The ordinance is being rigidly enforced by vigorous prosecutions and the

violators of the ordinance have at last come to understand that the administration means business in the way of suppressing the smoke nuisance.

The same energy and vigor has been displayed in the department of weights and measures. From September 1, 1905, to September 1, 1906, 111,760 scales and measures were inspected by this department, an increase of 25,766 over the previous year. During the same period in 1905-6, $22,201.60 were collected in fees, which is $4,191.55 more than was collected from September 1, 1904, to September 1, 1905. The arrests for violators during the year just passed were 263, an increase of 162 over the previous year.

The fines collected from September 1, 1904, to September 1, 1905, amounted to $2,016.00, while those collected during the same period in 1905-6 amounted to $4,310, an increase of $2,294.00.

The law department has been exceedingly vigorous and successful in its conduct of litigation in which the city's interests were involved. It has succeeded in having the Supreme Court of Illinois sustain Judge Tuley's decision which held that the Chicago Telephone Company cannot charge to exceed a maximum rate of $125 per year for the unlimited use of a telephone in this city.

It has succeeded in reversing Judge Mack and sustaining in the Supreme Court of Illinois the amendments to the charter of the city, thus establishing the Municipal Court Act, creating a new park system and giving the right to the city to fix the price to be charged for gas and electric light in this city.

It has also reversed Judge Grosscup's decision in the famous ninety-nine-year case and succeeded in obtaining from the highest tribunal in the land an overwhelming victory for the city. The United States Supreme Court declared that the 99 year claims of the companies had no existence either in law or in fact.

The department also succeeded in obtaining from the United States Supreme Court a decree compelling the street railway companies to remove the tunnels constructed by them under the Chicago River at their own expense, thus saving the city approximately a million dollars in cash.

It also secured from the United States Supreme Court a ruling validating what is known as the special assessment act, by which streets may be improved and laid out in a summary and expeditious manner, without tax to the citizens at large but upon a system of bonds issued upon the particular improvement; the decision not only sustained the legislation but also removed all doubt from as much as $20,000,000 worth of bonds then in existence for such improvements.

This department also obtained from the Supreme Court of the State, reversing the lower tribunals, an opinion establishing the right of the city to levy taxes and to force assessment upon the tunnel company, using the underground streets of the city.

The law department also succeeded in having the Mueller law and the city ordinances passed thereunder, authorizing the issuance of not to exceed $75,000,000 worth of Mueller certificates, and the certificates themselves declared valid by the Circuit Court of this county.

The same department, by its earnest and vigorous efforts before the board of review, has been able to increase the assessable property to many millions in excess of previous years which will bring into the city treasury during the present year from two to three millions in cash as an extra fund for municipal purposes.

The city attorney has succeeded in resisting claims to the extent of preventing judgment against the city for damages in excess of six per cent of the amount claimed.

The corporation counsel's office has succeeded in cases litigated by that department in keeping the claims against the city down to $60,000 where over $800,000 were claimed in damages.

Shortly after my inauguration as mayor, in company with other citizens, who believed that the prices charged for gas and electric light in this city were extortionate, I went to Springfield and urged upon the General Assembly the passage of a law enabling cities to regulate the prices to be charged for gas and electric light. The Legislature, in response to the popular demand, passed a law enabling cities to fix such reasonable rates for gas and electric light.

Promptly upon the passage of this act, I presented a message to the council, urging the passage of an ordinance fixing the price of gas at 75c per thousand cubic feet. The investigation made by the committee on gas, oil and electric light immediately thereafter, in my judgment, warranted the fixing of the price of gas at that rate. But the committee, in its judgment, thought otherwise and reported into the council an ordinance fixing the price at 85c per thousand cubic feet. This ordinance was passed by the council. I vetoed the same, believing that the price was unnecessarily and unreasonably high. But the council passed the ordinance over my veto, the net result being that the citizens of Chicago now obtain gas at a price which is fifteen cents lower per one thousand cubic feet than was theretofore paid.

I have recently recommended to the council the passage of an ordinance, reducing very materially the price charged for electricity for light and power, as well as the passage of an or-

dinance reducing the telephone charges hitherto made by the telephone companies of this city.

My messages, recommending an investigation into the subjects of what is a reasonable rate for both these utilities, have been referred to the committee on gas, oil and electric light and I expect that prompt action will be taken thereon.

I am clearly of the opinion that the prices hitherto charged by the electric light and telephone companies of this city are unjust and oppressive, and I am very anxious that the council take early action which will result in a very materially reduced rate and the obtaining of more efficient service from public utility companies by the citizens of this community and I earnestly request that you use your powerful influence in securing this result.

I have also sent three messages to the council, recommending that a flat rate of 8c per thousand gallons be fixed for water, furnished to the citizens of this city by the municipality. Upon entering office I found that the code contained an ordinance which permits the sale of water to one customer by meter at 4c per thousand gallons, to others at 6c, and to others at 10c. Such an ordinance, I believe to be unfairly discriminative and unjust to the people of this city.

In each of my three messages, I have advocated the establishment of a flat rate of 8c per thousand gallons. The reasons for the establishment of this rate are obvious. The main cost of a water system is the cribs, pipes and the pumping stations. These remain the same for all consumers. In my judgment, water should be sold exactly as gas is sold. It costs pro rata just as much to pump one thousand gallons as it does to pump a million.

At the time of my first message, there were 5,749 water consumers using meters in the city of Chicago. Only 36 of these 5,749 consumers would have their water bills increased by the change from the present rate to a flat rate of 8c. The remaining 5,713 customers would have their bills reduced, while the net income to the city would be but slightly altered. The 36 customers whose water bills would be increased comprise mostly packing, railway and other large companies, which would not appreciably feel the difference in cost. There was never any legitimate reason, in my judgment, why these great concerns should be favored by the city and furnished with water cheaper than the rest of our citizens.

An address of this character would be incomplete without a brief discussion of the progress made in the settlement of the traction question during the year that has closed. On January

18 of this year, after a bitter and prolonged struggle in the city council, that body, pursuant to the popular will, as expressed at the polls, passed an ordinance, authorizing the issuance of not to exceed $75,000,000 worth of Mueller certificates for the acquisition of a street railway system for the entire city. This ordinance provides for its submission to the people upon referendum and on April 3 of this year the people ratified the same upon popular vote.

On March 12, of this year, the city administration, through its traction counsel, secured a decree from the Supreme Court of the United States reversing Judge Grosscup and declaring null and void the 99-year claims of the traction companies. Within the last three weeks the city has also obtained a favorable decision in the Circuit Court of Cook County, sustaining the validity of the Mueller law, the ordinances passed thereunder and the certificates themselves.

Every step taken by the administration up to the present time looking towards the municipalization of the street railways of Chicago has met with marked success.

In the meantime, the city has entered into negotiations with the traction companies for the purchase of their lines. These negotiations contemplate the rehabilitation and modernization of these lines by the traction companies and the acceptance by them of the fair cash value of their present properties, plus the cost of rehabilitation with five per cent interest, with the understanding upon the part of the companies that they will accept this money at any time upon six months' notice and surrender their properties to the city, no extension of franchises of any character to be given.

Considering the opposition met with in the city council, the progress made towards municipalization has been rapid and entirely satisfactory. The appeal from Judge Windes' decision to the Supreme Court will be decided in a very short time, and in such manner, it is to be hoped, as will end the traction controversy forever and in such a way as has been demanded by the people of this community.

I will now notice briefly a few other marked improvements that have taken place within the last twelve months. Public gambling has been exterminated in this city. Private gambling may exist but, if so, it is carried on in private clubs, private homes or in private rooms rented from night to night. Public gambling, I confidently assert, has been stamped out in the city of Chicago, unless it be a whispered bet made by one gambler to another, which, by the utmost ingenuity of the police, it is impossible to reach.

Street walking and soliciting upon our public thoroughfares has also been suppressed or brought to an irreducible minimum. The brothels on LaSalle Street almost adjoining the courthouse and on Custom House Place, adjoining the Union League Club, which flaunted their vice in the public gaze when last we met, are no more. The vicious resorts on State Street, known as "Whiskey Row" which for years were an eyesore to the people using that thoroughfare, ceased to exist.

Graft and boodle has disappeared from the city hall and from all departments of the city government. I have repeatedly appealed to the public through the newspapers, during the last few months, to furnish me with evidence of graft in any of the city departments. I have solicited information, pledging myself to preserve confidentially the names of my informants, and have failed to find a single case of authenticated graft urged against any employe in any department of the city.

The one o'clock saloon closing ordinance has been and is being enforced to the letter. I think all fair-minded men will agree with me that Chicago is freer from vice and crime today than at any time in its previous history.

The ordinances of the city are generally being vigorously enforced without fear or favor. All classes of citizens are being treated exactly alike, whether they be clothed in rags or in broadcloth. Contracts have invariably been let to the lowest responsible bidder. The civil service law has been and is being honestly enforced. The health of the city was never better, the death rate in Chicago being lower than in any of the large cities of the United States. Public improvements are being carried on as extensively and as vigorously as the city's finances will allow. Many public improvements, it is true, are badly needed. A new city hall is badly needed. More schools are needed. Extensions of the fire department are needed. But, considering the resources that we have at hand, everything has been done, in my judgment, that could be done with the limited finances at our disposal.

The water supply of the city is pure and wholesome, which, I regret to state, has not been the case in Rogers Park, which has been furnished with water by a private company. This company has so outrageously imposed upon the people of that section of our city by giving them impure and unwholesome water at double the rates charged by the city, that I have recently been compelled to turn on the city water there and order the Rogers Park Water Company to cease pumping impure and unsafe water through its mains.

The work of track elevation has been constantly going on in the city, ten miles of track having been elevated during the first six months of this year. The city may well be proud of its electric lighting plant. From January 1, 1905, to July 1, 1906, not less than 1,580 arc lights of 2,000 candle power each were added to the system, making a total of 6,675 in operation at the latter date, all of which cost the city about one-half of what the city was paying to private companies at the time we installed the municipal plant.

The finances of the city are in a most excellent condition. City employes are paid their salaries promptly and all obligations of the city are promptly met. The credit of the city was never better.

Such is the record briefly of the year that has passed. This is the record of stewardship of the present administration during the year just closed, and I respectfully submit it to you for your careful and impartial consideration.

JUDGE MURRAY F. TULEY.

ADDRESS AT HIS FUNERAL, 1906.

Into this great city of two million people, within the last quarter of a century, have come men of extraordinary attainments, tireless energy and of wonderful resources. In this city there existed the opportunity for the development of their great attainments and energies. They have made themselves felt in the commercial and professional fields of the city. Many of them have come, played their important parts and passed away, leaving their impress upon the public life of the city.

Great captains of industry have come, amassed their millions and passed away to their reward. Men of paramount genius have arisen to the highest positions of dignity and power in their profession, have achieved distinction and died. Other men who have had the aptitude for political life have come, played their important parts and gone.

During the thirty years that I have resided in the city of Chicago, I know of no man, save probably one, whose loss to the community will be more deeply felt than that of the "Grand Old Chancellor" who has just passed away. I know of no man, with that possible one exception, who has done more for civic righteousness and has accomplished more in the way of asserting the rights of the people and defending them against corporate aggression than he whom we mourn and honor today.

The life of Murray F. Tuley must be viewed from three separate standpoints. First, from the standpoint of private citizenship; second, from the standpoint of a judge, and third, from the standpoint of a powerful moulder of public opinion in the community.

As a private citizen, Murray F. Tuley was remarkable for the simplicity and modesty of his private life. In these days of reckless extravagance, of huge fortunes, of display and pomp, Murray F. Tuley held to the simple life which characterized the citizenship of half a century ago.

His tastes and domestic life were beautifully plain and simple. He loved his wife and home and for years spent all his leisure hours therein. He was plain in his dress and plain in his mode of life. His tastes remained as simple as those he acquired in his frontier life and in the Army. To the end of his life he was never attracted

by the glitter and pomp of social and political life. He clung with hooks of steel to his old friends and associates of former years, and was loved and respected by them to a most remarkable degree.

His books and his horse constituted his only luxuries. All his life he was devoted to horseback riding as a means for the preservation of his health and because of the love that he and every Kentuckian has for that noble beast.

In these days when divorce and estrangement are so common, when men of distinction seem to become careless of their mates, his pure, simple, domestic life stands out as a remarkable exemplar of domestic happiness and contentment.

As a judge, Murray F. Tuley never had a superior if he had an equal, in the judicature of Cook County. I can, looking back over the lives and records of the many great men who have graced the bench of this county, find none, unless it be McAllister, who approached him in brilliancy, breadth, and conception of judicial duty. Gifted by nature with an intellect that was keen, incisive and comprehensive, he was also a student of remarkable diligence and concentration. To this was added a temperament of caution and deliberation. But above and beyond all he had an exalted sense of justice and impartiality. Strong intellect, untiring industry, patience, and a sense of justice, all combined, made him the ideal judge.

Besides all these qualifications he had in his temperament and makeup that which is always necessary to make a good judge a great one, and that was unflinching moral courage. He dared to do what was right whether it was popular or unpopular. He was fearless of the clamor of the mob, whether that mob was arrayed in purple and fine linen or clothed in rags and armed with bludgeons. He often told me that, when he had a great case under advisement in which there was intense public interest, he avoided reading the newspapers lest they should unconsciously influence his decision. He has frequently said that a newspaper simply represents the ideas and views of one man or coterie of men, and that that man or coterie of men are frequently either prejudiced or mistaken.

It seemed always to be his desire to get at the heart of things and decide according to the law and the immortal truth, independent of personal influences. He had a holy veneration for the ancient writ of right, the habeas corpus. He believed that the writ of habeas corpus and the right of trial by jury were the bulwarks of British and American liberty.

Among his peers upon the bench, during the thirteen years that it was my delight to associate with him, his preeminent abilities as a judge made him easily the dean of the judiciary. Year after year he was elected without opposition as chief justice of

the Circuit Court, because all of his associates felt that by reason of his great and commanding talents he was justly entitled to the place.

He attended as carefully to the routine and drudgery, incidental to his high position, as he did to the more honorable and distinguished features thereof. He used his great talents of discrimination with as much care in the selection of a justice of the peace or a park commissioner as he did in deciding the most important cases that came before him. He was a tireless, incessant and conscientious worker in everything that he undertook.

He was absolutely impartial in his treatment of the bar. The leader of the profession received at his hands no different treatment than the young beginner in practice. He had an abhorrence of trickery and shystering tactics, and men guilty of unprofessional conduct went from the seat of justice over which he presided scorched with the anathema of insulted justice. He was feared only by men or interests that sought unfair advantages in courts of justice. Changes of venue were taken from him, but only by those who apprehended and feared a just and equitable decision.

His decisions were as luminous as the light, ever just and ever impartial. The upper courts frequently incorporated his decisions into their own findings and published them as the views of the upper court. In the history of the judiciary of Cook County, as hereafter written, no name will appear in such luminous light or will have left behind it so enduring a memory as that of Murray F. Tuley, judge of the Circuit Court.

As a moulder of public thought and as an architect of public laws, no man has achieved greater distinction in this community. He was one of the framers of the Constitution of 1870, and, had he lived, would have been one of the framers of the charter of 1905, and during that whole period of thirty-five years no great movement, which had for its aim and object the amendment or improvement of the laws and ordinances of this city and State, ever took place that the name of Murray F. Tuley did not appear prominent in the movement.

He framed the city and villages act which is the charter of the cities of this State, and codified the ordinances of the city of Chicago when corporation counsel of the city. He was one of the framers of the amendment to the Constitution adopted in 1903. No important law affecting the city of Chicago during that thirty-five years has ever been formulated without Judge Tuley being called into conference in relation to the same.

He was the implacable foe of graft and corruption in any and every form in public life. Always a consistent Democrat of the type of Jefferson and Jackson, he never hesitated to denounce a Democratic grafter or corruptionist.

When the infamous Allen and Humphrey bills were put through the Legislature, Judge Tuley was one of the first men in the community to appreciate their malign significance and to attack them in the press and on the rostrum. As indicative of his vigorous character, I recall that when these laws were in course of incubation he was present at a meeting of a club called for the purpose of denouncing them. A communication from one of the traction companies was presented to myself as presiding officer of the club, in which—if I remember aright—some sort of a protest was made against the club taking action without hearing from the traction companies. Someone moved that the letter be placed on file when Judge Tuley jumped up and moved as a substitute that the letter be referred to the State's attorney for further action. It simply was an indication of the hot resentment he felt at temporizing with the traction companies while legislation of such a character was in contemplation.

Within recent years the Judge, who was always a great student and who was at all time solicitous of the public welfare, became a convert to the doctrine of the public ownership of public utilities. He became satisfied that this was the only sure way of avoiding the scandals and disgrace that had been perpetrated in the Legislature and the city council, arising out of the renewal of franchises giving private companies the right to operate these utilities. He also became satisfied at the same time that the people were as competent and as well able to operate these utilities, through competent agents, as were private companies. Having reached this conclusion he took a very determined stand, as we all know, in opposition to the extension of franchises to private companies, and perhaps no man in public life exerted such a powerful influence in this community in preventing such measures, both in the Legislature and in the city council.

At all times, the avowed and open enemy of special privilege and discrimination in favor of one class as against another class, he stood like a lion in the path of those who were attempting to secure these priceless advantages. It was a singular tribute to his strength of character and the honesty of his purposes that the people of Chicago, in defiance of rings, cliques and political organizations, responded to his single call and carried the election last spring upon a platform which he assisted in building and which pledged the people of this community and the mayor of the city to a program which absolutely prohibited the granting of any further extensions of franchises to the present street car companies of this city. In response to his clarion call, as to the outcry of Paul Revere in former days, the people turned out and drove back into their entrenchments the bushwackers of the traction companies, as did the minute men drive back the redcoats on the eve of the

Revolution. A more significant tribute to the strength, courage, honesty and the wisdom of one man has never before been exhibited in the civic history of this great city.

To the very last his powerful intellect and great conscience were devoted to the success of what he called the people's movement, and but a few days before his death he spoke his last words of encouragement and support for the cause of municipal ownership.

In his death I have lost a true friend and my wisest and most trusted advisor. The city of Chicago has lost one of its best friends and the people of this city have lost the most powerful advocate and champion of their rights.

While he himself has passed away to his eternal reward, the influence of his life will remain behind him. He is one of the deathless dead whose example, whose inspiration, whose counsel, whose advice and whose record of action will remain behind to influence, in the years to come, the policies of the public men of this community and to shape their acts for the public good.

His name and his memory will live in the history of Chicago and in the hearts of Chicago's citizens when the names of its greatest financiers, its greatest merchant princes and its greatest captains of industry will be lost in oblivion.

His love of the people and his solicitude for their welfare endured even to the end. Of no man who ever appeared in public life could it be more truly said, as was said by Whittier:

"Strong to the end, a man of men, from out of the strife he passed;
The greatest hour of all his life was that of earth the last."

VETOES TWO STREET RAILWAY ORDINANCES.

MESSAGE TO THE CHICAGO CITY COUNCIL, FEBRUARY 11, 1907.

To the Honorable, the City Council:

GENTLEMEN: I return herewith, without my approval, an ordinance passed at the last regular meeting of your honorable body, and published at pages 2944 to 2990, inclusive, of the current printed council proceedings, entitled "An Ordinance Authorizing the Chicago City Railway Company to Construct, maintain and operate a System of Street Railways in Streets and Public Ways of the City of Chicago."

A also return herewith, without my approval, an ordinance passed at the last regular meeting of your honorable body, and published at pages 2990 to 3054, inclusive, of the current printed council proceedings, entitled "An Ordinance Authorizing the Chicago Railways Company to Construct, Maintain and Operate a System of Street Railways in Streets and Public Ways of the City of Chicago."

My reason for withholding my approval of the above mentioned ordinances are as hereafter stated.

In my letter, addressed to Alderman Werno, chairman of the committee on local transportation, dated April 27, 1906, I stated that, in dealing with the traction question, "The controlling consideration must be that nothing shall be done which will impair the right of the city to acquire the street railway systems, as soon as it has established its financial ability to do so." This being the controlling consideration in framing these ordinances, the right of the city to acquire the street railway properties should be fully protected in the same. This, in my judgment, has not been done.

While purporting, upon their face, to give the city the right to acquire the traction systems of the companies at any time upon six months' notice, the ordinances fail to provide practical methods for the acquisition of the systems. The properties can only be purchased by the payment of money. The city can only secure money by the issuance of Mueller certificates. At the present time, the authority of the city to issue certificates is limited to $75,000,000. After the payment of the usual broker-

age fees these certificates will not net to exceed $72,000,000 in cash. The price of the present properties—tangible and intangible—as fixed in the ordinances aggregates $50,000,000. The cost of rehabilitation, it is admitted, will be from $40,000,000 to $50,000,000 and may run up to an unlimited amount, making the total cost to the city at least $90,000,000 to $100,000,000.

One of the ordinances, to-wit, that running to the Chicago City Railway Company, requires the payment of all cash. The other requires the payment of all cash, except the cost of rehabilitation which, under the terms of that ordinance, may become a lien subject to which the city may acquire.

It has been roughly estimated and stated before the committee on local transportation that the cost of rehabilitation of both companies will be divided in the ratio of two-fifths in the case of the Chicago City Railway Company and three-fifths in the case of the Chicago Railways Company. If both the companies accept the ordinances and complete rehabilitation, it might be possible for the city to acquire both plants at any time, under the terms of the ordinances with $75,000,000 worth of Mueller certificates. But it was admitted, during the negotiations, that a consolidation of both companies is highly probable in the immediate future. Indeed, Mr. Wilson, representing the Chicago City Railway Company, in an address before the committee on local transportation, flatly stated, as an objection to his company agreeing to sell its plant to the city subject to the lien of the cost of rehabilitation, that he expected that that company would be called upon to expend $75,000,000 in the acquisition of the north and west side plants and in the rehabilitation of the three systems, and that he would not, therefore, consent to have incorporated in the ordinance to the Chicago City Railway Company a provision permitting the city to take over the plant, subject to the lien of the cost of rehabilitation.

If the ordinance becomes effective and consolidation takes place, as is highly probable, in view of Mr. Wilson's statement and in view of the fact that the same financial interests dominate and control both companies, that consolidation will operate under the more favorable to the companies of the two ordinances and the more favorable of the two ordinances is that which runs to the Chicago City Railway Company. This ordinance must and, if it becomes effective, will be accepted within ninety days. The other ordinance need not be accepted until one hundred and sixty-five days after its passage and, in my judgment, it is highly probable that it will never be accepted. I confidently predict from what has come to my knowledge during these negotiations that a consolidation will take place within the early future and

that when that consolidation does take place it will be under the ordinance of the Chicago City Railway Company which provides that the city may not acquire the plant unless upon the payment of cash to the amount of the total cost of all the properties and the rehabilitation of the same. The city being in the position of having only $72,000,000 worth of cash on hand, as at present authorized by the Mueller certificate ordinance, it will never be in a position to acquire these plants until the city council shall see fit to pass supplemental ordinances authorizing Mueller certificates to the aggregate of at least $100,000,000.

It may be said that the city council can pass such ordinances in the future, but from all our experience within the last two years we must know what almost insuperable obstacles will be offered to the passage of such supplemental ordinances. Although the citizens of Chicago declared for immediate municipal ownership of the traction systems of this city in the election of April, 1905, by a vote of 141,518 to 55,660, and although I was elected mayor by a majority of nearly 25,000 on that sole issue, we all know how difficult it was, notwithstanding that tremendous popular vote, to obtain any ordinance authorizing the issuance of Mueller certificates and that when the ordinance was finally passed, it was the result of a sudden and most remarkable change in aldermanic sentiment as expressed in previous votes.

Unless a provision is now incorporated in these ordinances, limiting the cost of rehabilitation at any time to the amount of Mueller certificates authorized to be issued, in my judgment, it will be most difficult, if not impossible, judging of the future by the past, to obtain the passage of such ordinances, no matter what may be the popular sentiment upon the question.

Already the influences, inimicable to municipal ownership, are making themselves manifest in the State Legislature, where a bill is now pending to limit the issuance of bonds for the acquisition of public utilities. If a provision were inserted in these ordinances, as in my judgment it should be, limiting the amount to be expended by the companies on rehabilitation to an amount within the limit of the Mueller certificates, now authorized or which shall hereafter be issued, it would be to the interest of both the traction companies and the people to have such ordinances passed, and as both the traction companies and the people would be interested in the passage of such ordinances, we could confidently count upon the enactment of ordinances authorizing such certificates. Nor would this delay the progress of rehabilitation. Such an ordinance could be passed with the cooperation of the traction companies and submitted to the people within one year and during that year the companies could hardly expend $22,000,000 in rehabilitation.

If these ordinances become effective in their present form without any such provision, it will be plainly and clearly to the interest of the traction companies, in order to prolong the life of their tenure in the public streets, to oppose at all times the passage of such ordinances. That they would exert their influences in that direction will not be denied. I, therefore, unhesitatingly state that, in the present condition of these ordinances and with the strong probability that consolidation of these companies will take place under the ordinance of the Chicago City Railway Company, it will be impossible for the city to purchase from $90,000,000 to $100,000,000 worth of property with cash while our resources under the present ordinance are limited to but $72,000,000 in cash.

Nor can we hope with any confidence, under the terms of these ordinances, that a fund will certainly be acquired out of the fifty-five per cent net receipts which becomes the property of the city. The traction companies have been very loud in their protestation that the city's portion of the net receipts will aggregate $1,350,000 during the first year of the ordinances and that these profits will increase year by year. But when they were asked in committee to guarantee that such returns would come to the city by amending their ordinances so as to guarantee at least eight per cent of the gross receipts, they utterly refused to do so. We must, therefore, view with serious misgivings their assertions that the net receipts coming to the city will be any substantial part of the gross receipts.

Before the committee on local transportation an effort was made by the city's representatives to obtain a guarantee of at least eight per cent of the gross receipts, but the companies refused this most reasonable proposition. Notwithstanding that refusal, you have passed these ordinances without any provision of any character for gross receipts.

Not only do the ordinances fail to guarantee to the city an income of any character, but, if the ordinances become effective, approximately $125,000 per year, which is now paid to the city under existing ordinances, will be wiped out.

While under the terms of these ordinances the city would be compelled to pay from $90,000,000 to $100,000,000 in cash with less than $72,000,000 available, and while there is no provision for a guarantee of a sinking fund, the city is further embarrassed by a provision in the same which permits these companies to charge ten per cent contractor's profit upon the cost of rehabilitation and at the same time ordinances permit them to make subcontracts. Subcontractors will not work without a contractor's profit and presumably the subcontractor will obtain his ten per cent profit, and yet after the payment of the subcontractor with his profit, the company is empowered under the ordinances to charge ten per cent

additional, both on the cost of subcontracts and the profit obtained, therefrom. There is nothing in the ordinances to prevent the gentlemen in control of these properties from organizing construction companies and having these construction companies obtain a contract, with the approval of the board of supervising engineers, for the building of power houses, railway barns and other costly structures in which event the construction company will be paid its usual profit and the company, in addition to this profit, will be permitted to charge the people in case of purchase an additional ten per cent for letting of these contracts.

Under the terms of the ordinances no licensee company, to which the city may give a license, may acquire the plants of the present companies, unless upon the payment of a twenty per cent bonus over and above the price the city would have to pay, if it acquired the properties for municipal ownership and operation. The reason advanced by the traction companies for insisting upon this premium was that they should be protected against the sandbagging operations of rival capitalists. That some protection, if not to this amount, should be given against the machinations of other capitalists might well be conceded but an effort was made before the committee on local transportation to have the present companies consent to the incorporation in the ordinances of a provision that, if a licensee company should offer to the city to accept an ordinance of similar character and give the citizens of Chicago a four-cent fare, that, in such case, the companies should take the money invested in the plant and turn over the properties to the company that would give the citizens of Chicago a four-cent fare. This provision the companies absolutely refused to accept. In my judgment a rival company that offered such terms to the citizens of Chicago could in no aspect of the case be considered in the light of a sandbagging corporation and I believe that, in the interest of the people of this community, such a provision should be incorporated in these ordinances, particularly in view of the fact that three-cent fares now prevail in Cleveland and Detroit, and will soon obtain in many other American cities, and that a four-cent fare with universal transfers now obtains in Indianapolis.

Even at the expiration of twenty years, under the ordinances as at present framed, the city or any licensee company could not take possession of the property until it has paid the present companies the value of their present properties and the total cost of the rehabilitation; although at that time and for many years prior thereto the $9,000,000 worth of unexpired franchises now existing and the $4,358,743 worth of cable property, which is now part of the contract purchase price of $50,000,000, will have wholly disappeared.

There are other objections to the ordinances of quite serious character. In the precipitous haste with which the ordinances were passed in an all-night session, immediately after the adjournment of the committee on local transportation at seven o'clock p. m., some twenty-eight amendments which had not, before the meeting of the council, been printed, were incorporated in the ordinances and some thirty-eight amendments were voted down. Many of the amendments offered, accepted and rejected, were long and complicated, one of those accepted containing over three thousand words, and could not in the nature of things have been understood, even if heard, by the members of the city council during the exciting session.

It is not to be wondered at, therefore, that such laudable amendments as those which provided for the arbitration of disputes between the companies and their employes, a provision limiting the cost of rehabilitation to the amount of Mueller certificates authorized, amending the clause permitting subcontractors' profits, requiring a guarantee of eight per cent of the gross receipts and protecting the public in the right to secure a four-cent fare or a three-cent fare, should have been voted down; and that no provision now appears in the ordinances regulating the maximum hours or the minimum wage to be paid to employes; nor that the agreement between John A. Spoor, Thomas E. Mitten, the city of Chicago and the First Trust and Savings Bank, which purports to remove the obstruction created by the existence of the present general electric ordinance, is not signed by any of the parties.

The ordinances have not only failed to thoroughly secure the demands of the people for early municipalization of the traction systems but the method of their passage lacked the deliberation and careful consideration which measures of such importance to the public require.

Under the provision relating to power houses and buildings, the companies are permitted to secure power from any source other than the companies' own power plants, with the approval of the board of supervising engineers. This provision would permit the companies, subject only to the approval of the board of supervising engineers, to make contracts for any length of time and for any price with the Edison or Commonwealth Companies, and if the city took over the systems, it might be compelled to assume the burden of such a contract, no matter how remunerative it might be to the power company or however onerous it might be upon the city, or however desirable it may be for the city to furnish its own power.

Because of the foregoing serious objections, some of which, in my judgment, will make it impossible for the city, as at present circumstanced, to acquire the funds necessary to purchase these properties, I am deliberately of the opinion, after receiving light from all available sources, that these ordinances, while ostensibly permitting the city to acquire the plants at any time upon six months' notice, really and in fact place the city in such a position as to make it impossible to carry out the purchase under the terms of the ordinances.

As, in my judgment, it will be impossible for the city under the terms of these ordinances, from its present existing resources, procured by the sale of Mueller certificates, to acquire the properties at any time for municipal ownership, these ordinances are not municipal ownership measures, but ordinances masking under the guise of municipal ownership, while really and in fact giving the present companies a franchise for twenty years, if not longer. This is in violation of my letter to Alderman Werno, referred to above, to which it is claimed these ordinances conform, and which letter distinctly stated that these companies should be given the right to operate "under revocable licenses," and further stated that "it is absolutely essential that nothing shall be done to enlarge these present rights of the existing companies or to deprive the city of its option of purchase at any time."

The people have demanded that any ordinances which may be passed dealing with this traction question must preserve the right of the people to municipalize at the earliest possible moment and they have a right to have their repeated demands carried out in spirit and in letter and no ordinances which in fact prevent the city from acquiring these properties for many years to come should be passed contrary to their instructions.

Respectfully,

E. F. DUNNE, *Mayor.*

THE TRUTH ABOUT THE ISSUES OF THE MUNICIPAL CAMPAIGN OF 1907.

ADDRESS AT THE JEFFERSON CLUB BANQUET, MARCH 9, 1907.

Mr. Chairman and Gentlemen:

The Democratic party of the city of Chicago has nominated its municipal ticket and adopted a platform in accordance with the overwhelming sentiment of the rank and file of the Democratic party. The Jefferson Club, ever true to the principles of progressive democracy, as enunciated in the recent platform of our party, is among the first of the Democratic organizations to ratify that platform and to offer its assistance for the success of the ticket. I thank you in behalf of myself and my colleagues upon the ticket for your prompt and loyal support.

I thank my fellow citizens throughout the city for my renomination to the office that I now hold because I regard it, as I have a right to regard it, as an endorsement of the course of the Democratic administration during the past twenty-three months.

The Democratic party, in my judgment, has reason to be proud of the record and achievements of the city administration during that period. A brief review of what has been done must satisfy every fair-minded citizen that the administration has been conducted in the interest of the people of this community.

When I was elected mayor in April, 1905, the citizens of Chicago were paying one dollar per thousand cubic feet for gas, a price which the experience of modern cities shows to have been extortionate. Shortly after my inauguration, in company with a committee of citizens appointed by me, I went to Springfield and urged upon the Legislature the passage of a law enabling cities to regulate the price to be charged for gas and electric light.

The General Assembly, in response to the demand of this committee, passed such a law and the same was ratified by the people upon referendum vote. Immediately after the adoption of this act, the mayor of Chicago presented a message to the city council, asking that the price of gas be reduced to 75 cents per thousand cubic feet. After investigation the council in its wis-

dom, passed an ordinance fixing the rate at 85 cents. I vetoed that ordinance, believing the price was unnecessarily high. I believed then, and I still believe, that 75 cents would have been a just and reasonable rate. However, the people of Chicago now obtain gas at a rate fifteen cents lower per thousand cubic feet than was theretofore paid.

Upon entering office I found in the municipal code an ordinance permitting the sale of water to one consumer by meter at 4 cents per thousand gallons, to another at 6 cents and to others at 10 cents. This ordinance had been in the code for a number of years and was so grossly inequitable and unfair that your mayor demanded its repeal and the passage of an ordinance which would be fair to all persons and corporations alike. I could see no sound reason why a few powerful corporations should be favored by this city and furnished with water cheaper than the rest of our citizens, and I sent a message to the council, calling its attention to the iniquities of this ordinance.

As the result of my first message, I was unable to secure any action in the city council. After waiting several months, I again sent a message to the council which met a like fate. Finally, in September, 1906, I reached the determination that this inequitable ordinance must go and I again addressed a third message to the council, pointing out the unfairness and injustice of this ordinance. Finally, as a result of this third message, the city council, within the last ninety days, passed an ordinance establishing a flat rate of 7 cents to all consumers alike.

Under the present ordinance, some thirty-six large corporations in this city, which have formerly been buying water at 4 cents per thousand gallons, are now paying 7 cents, while many thousand small consumers which had heretofore been paying 10 cents are now paying the same rate of 7 cents. Nor is there any loss of income to the city but, on the other hand, a slight increase, owing to the fact that these large consumers use as much water as all the small ones combined. This reduction in the price of water and the establishment of a flat rate to all citizens alike must be credited to the Democratic administration.

During the present administration, I am also pleased to state that, through the vigorous action of the law department, we obtained from the Illinois Supreme Court a decision reducing the price of telephones for unlimited service from $175 to $125 per annum, which is in itself a great boon to the citizens of this community.

During the present administration, moreover, the Chicago Telephone Company, which has a monopoly upon the telephone business in this city, has been haled in before the committee

on gas, oil and electric light and has been flatly informed that, as its present franchises are about to expire, it must, if it seeks an extension of these franchises, be prepared to consider further reduction of rates for this public utility, and I am pleased to say that rival corporations are now competing before that committee for the privilege of furnishing telephone service to the citizens of Chicago at a rate as low as $80 per annum for unlimited service.

During this administration, the prices charged for electric light have been reduced, according to information given me by city electrician Carroll, over twenty-five per cent. The city council a few months ago passed a contract ordinance granting valuable consolidation privileges to the Edison and Commonwealth Companies. The terms of this ordinance, in my judgment, were prejudicial to the interests of the people of this city, and it was my veto alone that delivered the citizens of this community from an impending electric-lighting monopoly.

Reduction in the price of gas, water, telephone service and electric light must all be placed to the credit of the present Democratic administration.

Nor is this the sum total of what has been achieved during the last twenty-three months. The city of Chicago has added materially to its police and fire departments and the city is receiving better police and fire protection today than it ever did before. The efficiency of the police department is attested by the statement of the Anti-Crime league, made within the last few days, in which that responsible organization, composed of such men as Bishop Fallows, Bishop Muldoon, Rev. John Thompson, Carl L. Barnes, Quin O'Brien, Nathaniel C. Sears, Charles D. Richards, E. J. Davis, I. P. Rumsey, J. H. Fitch, A. J. Petit, Eugene O. Reed, F. P. Sadler, G. C. Longman, and Frank J. Shead, publicly states that Chicago is today "freer from vice, crime and lawlessness than it has ever been in its history," and further stating that "the infusion of this new blood (in the police department) has given tone and efficiency to the entire department, as is shown in the minimization of crime from which we have practically been free this winter, in the marked improvement of traffic on our streets and the general betterment of all conditions to which a police department contributes."

I also found upon entering office that there existed in the heart of the city, within the loop and immediately adjoining the same, several nests of disreputable houses; on La Salle Street, near the courthouse, and on Custom House Place and on State Street, which were an eyesore to the public and a menace to public morals. These, through the efficiency of the police department, have been abso-

lutely exterminated. Street walking in this city has been suppressed and public gambling has been stamped out.

The present city administration also entered upon a vigorous crusade against the sale of decayed and diseased meats and other unwholesome foods; the result of which crusade has been the stamping out of such sales, for which too much credit cannot be given to the present commissioner of health and his staff.

Upon entering office, I found that a large number of unscrupulous merchants were using short weights and false measures in the sale of commodities. The vigorous and persistent efforts of the present city sealer, Mr. Joseph Grein, have practically eliminated these dishonest practices in this city.

During the whole of the administration, we have been vigorously asserting the right of the community to compensation for the use of public property, both under and over the sidewalks of the city, and we have collected a large amount of rental from that source.

The administration, moreover, through the sturdy and vigorous enforcement of the building laws by Commissioner Bartzen, has put a stop to violations of these ordinances, both by the merchant prince on State Street and Wabash Avenue, as well as by the humblest citizen in the outskirts. In enforcing these ordinances the department has shown neither fear nor favor.

A like vigor has characterized the administration of the law department of the city. That department has laid away forever the 99-year ghost which intimidated for so many years the citizens of this community. The same department has won almost every important case that it has carried to the Supreme Courts and has succeeded in collecting, as shown by the report of Corporation Counsel Lewis to the city council, over $2,000,000 from corporations and estates hitherto evading just taxation which had been eluding the sleepy eyes of the board of assessors and the board of review.

An honest and public-spirited board of education has succeeded in unearthing and exposing to the public gaze the scandalous and dishonest leases of school property, given by former boards to favored corporations, and this board is now engaged in the effort to set aside those scandalous and dishonest leases in the interest of the school children of this community.

The administration of the commissioner of public works has been honest, vigorous and efficient. All contracts have been let to the lowest bidders and no favor of any sort has been shown to one contractor over another. Two large pumping engines have been installed and started during the present administration and more water has been pumped at a cheaper price than ever before in the history of the city.

During the past two years the department of electricity has placed more electric lights on the streets than were placed during the first eleven years' life of the municipal lighting plant and more than four times as many as were placed during the combined six years' administration of Mayors Roche, Washburne and Swift. During these two years the department has added to the street lighting a total number of lamps which, expressed in candlepower, exceeds the entire street lighting in all Chicago in the year 1896. The lights have been operated at a reduced cost and the wages of the operating force have been increased. The average cost per arc lamp during 1905 and 1906 under this administration was 100 per cent less than during 1891 and 1892 under Washburne.

Upon entering office, I found in the code an alleged smoke correction ordinance which was a travesty upon legislation. Under its terms, it was well-nigh impossible to obtain a conviction. At my instance the city council repealed this fake ordinance and enacted a new ordinance under which 1,330 suits were commenced during the year 1906, and $24,195 assessed in fines, an increase over the previous year, under the old ordinance, of 200 per cent in the number of suits brought and near 400 per cent in the amount of fines assessed.

The civil service laws, during the present administration, have been honestly and rigidly enforced and no man has been discharged from the public service, until after a full and fair trial has been given him. In this connection it might be well for me to call attention to the fact that the civil service law, as administered in county offices, compared with the civil service law, as administered in the city hall, is a farce. It might be well also for me to call attention to the fact that the Republican platform pledges the nominees of that convention to what the platform calls "the practical enforcement of the merit system." What the practical enforcement of the merit system may be, of course, will be construed by Republicans in case of Republican success, and in view of the fact that these gentlemen have been advocating the passage at Springfield of an amendment to the civil service law, under which civil service employes can be discharged without trial, I am forced to the conclusion that a practical enforcement of the civil service law, from a Republican standpoint, will mean the displacement, without trial, of public officials who may happen to be Democrats. I do not favor nor does the Democratic party favor the peremptory discharge of public officials, without a hearing. If this right be given, it is my belief that the political ax will be used with much vigor and with much injustice.

The finances of the city were never in better condition. At the close of the year 1904, the corporate purposes fund showed a deficit of $218,503.51. On the 31st day of December, 1905, there was a surplus of $889,872.90 and on the 31st day of December, 1906, there was a surplus of $4,274,771.43, the largest amount of surplus on hand in the history of the city. There was also a reduction in the charges for interest of $137,392.33.

The above are a few of the actual accomplishments of the present Democratic administration which have redounded to the material welfare of the citizens of Chicago. Energy and honesty have characterized the administration of every department of the city government. I have made the city hall an unsafe place for grafters. I have permitted no man or no set of men to place their collar around my neck and I have treated all classes of citizens exactly alike, whether they were clothed in rags or in broadcloth.

Your mayor was elected upon a pledge to institute immediate proceedings to bring about municipal ownership. The administration has kept that pledge. Immediately upon entering office I appointed as special traction counsel, Messrs. C. S. Darrow and Glen F. Plumb, who, acting in conjunction with the corporation counsel and Mr. E. B. Tolman, took vigorous hold of the 99-year litigation which had been slumbering in the Federal Court and pushed it with great tenacity and vigor to the United States Supreme Court, where, within a year after I entered office, that litigation was disposed of favorably to the city.

Within six months after my induction into office, I formulated and submitted to the city council two plans for the bringing about of the municipalization of the street cars of this city. Neither of these plans, I regret to say, seemed to meet with the approval of the city council. They were referred to the committee on local transportation and were pigeonholed by that committee, while the committee, contrary to the expressed will of the people, proceeded to negotiate with the street railway companies for an extension of their franchises. I sent message after message to the council, protesting against this policy but without avail. Ordinances were drafted and were being pushed to completion, granting franchises to these companies of such character that the citizens of this city, even those not believing in municipal ownership, rose in protest and finally, through the efforts of these protesting citizens, the proposed franchise extension ordinances were laid upon the shelf. This being done, the council adopted one of the plans, drafted by me, known as the "City plan" which called for the issuance of not to exceed $75,000,000 worth of Mueller certificates.

This ordinance was promptly signed by the mayor and was submitted to the people and approved by them at the election of April, 1906. Although the program, looking towards the municipalization of the street cars of this city, recommended by me to the council, was seriously retarded by reason of the fact that the city council disagreed with me for a long period, nevertheless it has triumphed both in the council and before the people.

The ordinance, authorizing the issuance of not to exceed $75,000,000 worth of Mueller certificates, is now a law and the validity of that ordinance and of the Mueller law, upon which it is based, is now being tested in the courts. Both the law and the ordinance have already been declared valid by Judge Windes in the Circuit Court of Cook County and I confidently expect the Supreme Court within a short time to affirm that decision.

It will be seen from what I have just stated that the advancement towards municipalization has been thoroughly successful and, considering the difficulties which were surmounted, it has been reasonably expeditious.

The people have won in the Supreme Court of the United States, when that court declared the 99-year act nonexistant. They have won in the council, when that body passed the Mueller certificate ordinance. They have won at the polls when the Mueller certificate ordinance was approved. They have won in the Circuit Court of Cook County, when that court declared the ordinance and the Mueller law valid and constitutional, and they expect to win in a few days in the Illinois Supreme Court, when that court will affirm Judge Windes' decision.

After the ratification by the people of the Mueller certificate ordinance in April, 1906, I deemed it advisable, upon consultation with the best friends of municipal ownership in this city, to appoint, Mr. Walter L. Fisher, as traction counsel in the place of Mr. Clarence S. Darrow, resigned, and to enter into negotiations with the present companies, pending the hearing of the litigation which would test the validity of the Mueller law and the ordinance, to ascertain whether these companies would be willing to agree upon a fair price for their present properties, and rehabilitate the same upon plans to be agreed upon between the city and the companies, and then turn over these plants to the city at any time upon the payment of the purchase price and the reasonable cost of rehabilitations.

I addressed a letter to the chairman of the committee on local transportation, Alderman Werno, embodying my views upon the matter. This communication is now generally known as the "Werno letter".

In this letter I declared:

"The city should therefore be given the right of purchase at any time. * * * It does possess the right without being given it by any further act of the companies. This right should be jealously preserved until municipal ownership has been actually obtained. * * * The controlling consideration must be that nothing shall be done which will impair the right of the city to acquire the street railway system as soon as it has established its financial ability to do so. * * * If they (the companies) will join, if possible as one company, in the reconstruction of their entire system, upon plans to be adopted by the city, with their concurrence, which shall provide for unified service, through routes, universal transfers and operation, under revocable license, then they should be adequately assured of the payment of the value of their present property (to be now fixed before rehabilitation) and additional investment when the city does take over the lines, and they should receive a fair return upon this present and future investment and some share of the remaining net profits while they continue to operate. Subject to these provisions, the net profits of operation should go to the city as a sinking fund for the purchase of the property."

The traction companies agreed before the committee on local transportation to carry on negotiations along these lines and that committee and the mayor industriously carried on negotiations with these companies until the early part of January of this year.

Many of the conditions insisted upon in the "Werno letter" were apparently complied with by the companies. They agreed to sell their properties upon six months' notice. They furnished an inventory of their tangible property and permitted the experts, employed by the city, to examine into the value of the same. They agreed upon a price for their tangible property now existent. But as the negotiations proceeded towards culmination, it was found that they had inserted in the proposed ordinances many provisions which would be dangerous to the public interests and which would practically prevent consummation of the people's desire for municipal ownership.

These provisions were pointed out to them by myself and others and they were urged to strike out and amend the same so as to make them satisfactory to the popular demand. These requests were refused, and the transportation committee proceeded with remarkable haste to finish up these ordinances, containing as they did these dangerous provisions. This was the situation of affairs upon the 7th of January last.

When you elected me your mayor, I pledged myself solemnly to the people, as did also Mr. Harlan, to give them an oppor-

tunity to pass upon any ordinance or ordinances settling the traction problem before final adoption. The city council, by its unanimous vote on October 15, 1905, had gone on record to the same effect.

On January 7, 1907, knowing that but twenty-four days were left under which steps could be taken to give the people a chance for a referendum vote on the present ordinances, I asked the council in a message to reenact the Foreman resolution of October 15, 1905, so as to permit the people of this city to have the last say upon the traction question. To my great astonishment, the council, by an overwhelming majority, refused to reenact the Foreman resolution. The only method by which I could keep my pledge to the people, after the refusal of the council to cooperate with me, was to appeal directly to the people. This I did on the 8th of January. I issued an address to them, stating the circumstances then existing and asked them to assist me by getting up referendum petitions upon the proposed ordinances and filing the same with the election commissioners within the ensuing twenty-four days. The people of this city responded with alacrity and vigor and petitions were being circulated throughout the city for that referendum.

The committee on local transportation, noting the public response, one week afterward, passed a resolution cooperating in the securing of the referendum. That cooperation was not needed, although it was gladly welcomed. The people would have responded with or without that belated action. Over two hundred thousand votes in favor of the referendum upon this important question was the answer to my appeal to the public of January 8.

But, it should be noted, upon the question of the referendum, the Republican platform is strangely and significantly silent. It makes no mention of that measure which is the strongest safeguard of the people against improvised and vicious legislation.

As the result of my pledge to the people and my determination to keep that pledge, these ordinances are now before the people for their approval or condemnation. The people must take the final responsibility as to their adoption or rejection. Upon them now rests that grave responsibility. Their decision will be binding upon the next mayor. If they approve these ordinances, he is bound—and I will be bound, if elected—to see that they are carried out in accordance with the people's desire. If they reject these ordinances, the next mayor must obey—and I will obey, if elected—that mandate, as expressed at the polls. That they should be condemned is my honest conviction and I so advise the people of this city.

While upon their face, pretending to be ordinances which secure the right of the people to municipalize, these ordinances make it practically impossible for the people to do so. There are two ordinances, one running to the Chicago City Railway Company and the other running to the Chicago Railways Company. The ordinance to the Chicago City Railway Company must, and in my judgment will be accepted, if approved by the people, within sixty days. The ordinance to the Chicago Railways Company must, and in my judgment will not, be accepted within one hundred and sixty-five days.

My reasons for making this statement are as follows: During the negotiations, I learned that there would be a consolidation of the companies and that that consolidation would take place under the ordinance running to the Chicago City Railway Company, with Mr. Mitten, the president of the latter company, in charge.

Mr. Wilson, representing the Chicago City Railway Company, stated flatly before the committee that he expected that his company might be called upon to advance $75,000,000 for the rehabilitation of the Chicago City Railway Company and for the acquisition and the rehabilitation of the west and north side companies. The ordinance to the Chicago Railways Company, moreover, is so complicated and contains so many difficult, if not impossible, conditions as to make it, in my judgment, impossible of acceptance and fulfillment by the Chicago Railways Company. If the Chicago City Railway Company accepts and the Chicago Railways Company refused to accept or fails to carry out the terms of its ordinance, then the city of Chicago, in acquiring the traction lines of the city, must deal with the Chicago City Railway Company.

The ordinance to that company requires the city to pay all cash before it can take over the property. The cost price will be (as admitted by Mr. Arnold) from $90,000,000 to $100,000,000. The city has no fund with which to acquire the property, except that derived from the sale of the Mueller certificates, heretofore authorized by the city council. These certificates will not net to exceed $72,000,000 in cash. In other words, under the terms of the Chicago City Railway ordinance, the city must buy $100,000,000 worth of property in cash with $72,000,000 in cash, an utter impossibility.

In order to obviate this difficulty, I suggested to the committee on local transportation and to the traction companies that they either provide that the city might purchase, subject to the cost of rehabiliation, or provide that the cost of the improvements shall at no time exceed the amount of Mueller certificates authorized.

Both propositions were refused. The sole object of refusal must have been to put the city in such position as to make it unable to purchase. It could have no other object.

Another most objectionable and dangerous feature in the ordinances is that there is no guarantee that the net profits shall amount to any definite sum or proportion of the gross receipts. The traction companies were very loud in their claims that the city would get as its share for the first year over $1,350,000. But when Alderman Dever figured that this would be approximately eight per cent of the gross receipts and they were urged to insert a provision in the ordinances that the net profits to the city shall at no time be less than eight per cent of the gross receipts, they flatly refused to entertain the proposition.

The Werno letter declared:

"The companies should be adequately assured of the payment of the value of their present property (to be fixed before rehabilitation) and additional investment when the city does take over the lines and they should receive a fair return upon this present and future investment and some share of the remaining net profits while they continue to operate. Subject to these provisions, the profits of operation should go to the city as a sinking fund for the purchase of the property.

In other words, the Werno letter provides that the city shall get the profits of operation, less a certain portion of the net receipts which should go to the companies. These ordinances reverse the proposition and give the companies the profits of operation, subject to some net receipts to the city.

Not only do the ordinances fail to guarantee to the city an income of any character, but, if the ordinances become effective, approximately $125,000 per year which is now paid to the city under existing ordinances will be wiped out.

The proposed ordinances allow the present companies a contractor's profit of ten per cent upon all work of rehabilitation and then provide that subcontracts may be made with the approval of the board of engineers. In other words, the ordinances expressly permit subcontracts. Judging of the future by the past, we know that immediately upon the approval of these ordinances certain ingenious gentlemen, connected with the companies, will organize construction companies and take contracts for the building of power houses, car barns, railway tracks, etc., from these companies at the usual profit. Subcontractors will not work without the customary profit of ten per cent upon the actual cost and then the company will add ten per cent additional to the amount paid the subcontractor, or eleven per cent on the actual cost. Under these provisions when the city attempts to

purchase, it will have to pay the cost of construction and twenty-one per cent in addition thereto.

Another serious objection to the ordinances will be found in that provision which prevents rival companies from coming into Chicago and furnishing a three or a four-cent fare, under ordinances of similar character, without the payment of a twenty per cent bonus over and above what the city would have to pay, if it took over the property for operation. It was urged by the traction representatives before the committee that this twenty per cent premium should be incorporated in the ordinances for the purpose of protecting them against the rapacity of rival capitalists. They argued that after they had built these lines, some buccaneer in finance might come along and offer to advance money to buy them out, if the city would grant a similar franchise. That some protection, if not to this amount, should be given one buccaneer as against another might be conceded. That the protection should amount to twenty per cent, however, is a matter of serious doubt. But it was suggested to the representatives of the traction companies that, if other financiers would offer the city a four-cent fare or a three-cent fare under a similar ordinance, that such conduct could hardly be construed as sandbagging or buccaneering. The companies were requested to insert in the ordinances a provision that if any rival company should offer to the city a three-cent fare or a four-cent fare under a like ordinance, the company making such an offer should be permitted to take over the property upon the same terms as the city could take it over for operation. They absolutely refused to consider such a proposition.

The objection that I have noted to these ordinances are, in my judgment, of serious character and impose such burdens upon the city as to make acquisition of these properties practically impossible. Much was conceded by representatives of the city in the effort to bring about a settlement that would be fair to the companies and to the people, but which would preserve the right of the city to municipalize upon just and reasonable terms.

The city's representatives agreed to a price of $50,000,000 upon these properties, which, in the judgment of many thousands of our fellow citizens, is unreasonably high. As pointed out by Alderman Dever in the city council, the payment of $50,000,000 to the present companies for their properties is at the rate of $71,428 per mile. The cost of rehabilitation, as estimated by Mr. Arnold, is between $40,000,000 and $50,000,000. If the cost is $40,000,000 when rehabilitated, we will be paying for these properties at the rate of $128,571 per mile. Yet Mayor Johnson, of Cleveland, within the last year built and is now successfully

operating at a profit upon a three-cent fare, an absolutely new street railway plant which cost $50,000 per mile.

The city's representatives further conceded, with much hesitation and doubt, that the companies should be paid for the intangible property that they now possess, valued at $9,000,000, if the city bought after that intangible property had vanished by expiration of franchises, all of which expire within seven years.

The city's representatives conceded many things in the interest of a fair settlement of this great question. But, notwithstanding all these concessions, the companies have insisted upon retaining in these ordinances the objectionable features pointed out heretofore, and others, which in my judgment, make these ordinances dangerous to the people and practically prohibitive of the demand of the people for municipal ownership.

In my deliberate opinion, these ordinances, if approved by the people, will prevent the people of this city from acquiring municipal ownership of these lines for twenty years, if not longer. At the end of the twenty years, the ordinances provide that the city cannot take possession until it pays for the properties of the companies in cash and, until the city has done that, the companies to which these ordinances run will have a right to retain possession of the streets and operate their lines.

For the last eight years, the representatives of the city have been engaged in futile negotiations with these companies which would settle the traction question by agreement. Four different ordinances have been under consideration and have been rejected either by the people or by the companies. The patience of the public has become exhausted. Every reasonable effort has been made by the present administration to secure a settlement of the complicated problem by agreement with the companies. It has made many concessions which, in my judgment, would have been unsatisfactory to the people of this community, in the earnest hope that a settlement might be obtained. It seems impossible to agree upon any ordinances with these companies that will protect the city's interests. The patience of the people has become exhausted. They now demand the cessation of all these negotiations and an appeal to the courts in condemnation.

In such proceedings, the value of the present properties can be judicially determined and determined quickly. A trial in the lower courts can be had within six months and an appeal to the Supreme Court can be had and finally disposed of within eighteen months. Once the value of the property is judicially determined in the lower court, nothing remains for the city but to negotiate its Mueller certificates, raise the necessary cash and hand it to the companies and take possession of the properties. If the

companies desire to appeal, they can do so. But the city will be in possession pending the appeal.

The city can rehabilitate these properties just as cheaply, if not more cheaply, than the present companies. It can certainly rehabilitate without paying double contractor's profits.

The temper of the people is aroused. The 99-year act is disposed of. The traction companies, by their own obstinacy, have forced a situation which is final and conclusive. The lantern has been hung out from the belfry tower. These ordinances should be voted down and, when they are voted down, condemnation suits must be immediately commenced, the value of these properties determined in a just and legal manner, the companies paid and the city take possession of the lines and commence their rehabilitation, as has been done by hundreds of great cities in the world.

The people have negotiated and negotiated and bargained and bargained without result. Whenever the people have appealed to the courts they have been almost invariably successful in asserting or maintaining their rights. Such was the result in the universal transfer case, in the case involving the 99-year act, in the case involving the police power of the city, in the case involving the validity of the Mueller certificates, in the telephone case and in nearly every other case brought by the city to assert its rights against public utility corporations.

Let the courts now determine the matter and do justice to the companies and the people alike.

THE REPUBLICAN PARTY AND THE PANIC OF 1907.

ADDRESS AT FREEPORT, ILLINOIS, DECEMBER 20, 1907.

Mr. Chairman and Gentlemen:

At a time when the granaries of the Nation are full, when from its fertile fields are now being garnered the most bountiful crops in its history, when its forges and factories were running to their fullest capacity, suddenly there has come upon this Nation, within the last thirty days, a financial crash which has toppled over mighty banks, thrown great manufacturing plants into the hands of receivers, caused the closing of many stock exchanges, and still threatens stagnation to the entire business interests of the country.

For the first time in the history of this country since the Civil War, the banks of the entire country have suspended cash payments, and resorted to the war times expedient of issuing shin-plasters to pass current in place of the currency established by the law of the land. According to the Inter-Ocean, 307,000 men, who thirty days ago were working, are now in enforced idleness, while many more thousands stand in dread of discharge, and for the first time in the history of America, laboring men by the tens of thousands are crowding the steerage of passenger ships bound for Europe.

What is the cause of the extraordinary and calamitous reversal of trade conditions in the United States? Not a failure of crops, because now and for many years past we have been blessed by Providence with most bountiful harvests. Not plague or famine, because we have been remarkably free from these visitations. Not a natural scarcity of money, for owing to the recent wonderful discoveries and production of gold we have a plentiful supply per capita of the circulating medium of exchange. Not the Democratic party because it has been out of power for nearly twelve years. What, then, has been the cause of this cataclysm? Some of our Republican friends would have you believe that the author of these evils is the man whom they have elevated to the highest position in the land, Theodore Roosevelt, President of the United States.

Now, fellow citizens, I believe our Republican friends can locate aright the cause of the present panic in their own party, but it is in the legislative rather than in the executive branch of the Government control led by them that the real cause of our troubles can be located.

The Congress of the United States, dominated for the last eleven years by the Republican party, has been sedulously and persistently fostering monopoly and building up the voracious and greedy trusts which have been sucking up the life blood of the Nation, stifling competition, robbing the producer on one hand, and the consumer on the other, and choking the middleman between them. This, the Republican Congress effected by its infamous tariff laws and its refusal to pass effective interstate commerce legislation which might curb the weedlike growth of these monstrous trusts and monopolies.

As early as 1896, the Democratic party noted and warned the people of the danger from these giant monopolies. In the Democratic platform of that year it declared:

"The absorption of wealth by the few, the consolidation of our leading railroads, and the formation of trusts and pools require a stricter control by the Federal Government. We demand the enlargement of the powers of the interstate commerce commission and such restrictions and guarantees in the control of railroads as will protect the people from robbery and oppression."

Even at that early day, 1896, statistics showed that one per cent of the population owned much more than half of the property of the country, and yet the Republican platform of that year had not a word against the fast growing monopolies of the trusts, but yelled lustily for more protection and less money.

In 1900 the trusts and monopolies had waxed still more formidable and dangerous. Consolidation, exploitation and balloon financiering under the fostering care of the Republican Congress had gone on apace. The tariff laws had been given a dose of digitalis, while the Interstate Commerce law was given the usual dose of morphine. The middleman had been choked to death, and the grip on both producer and consumer had been tightened.

The concentration of the wealth of the people in the hands of the few had been further painfully accentuated.

Again in 1900 the Democratic party, in its platform, spoke out in more emphatic tones:

"Private monopolies are indefensible and intolerable. * * * They rob both producer and consumer. * * * Unless their insatiate greed is checked, all wealth will be aggregated in a few hands and the republic destroyed. * * *

"They are fostered by Republican laws and protected by the Republican administration in return for campaign subscriptions and political support. * * * The whole constitutional power of Congress over interstate commerce, the mails and all modes of interstate communication shall be exercised by the enactment of comprehensive laws on the subject of trusts. Tariff laws should be amended by putting the products of the trusts upon the free lists."

While the Democratic party in this vigorous language recognized the portentious dangers involving and still further threatening the people in 1900, the Republican party in convention assembled did not even deign to mention the word trust in its platform. Its financial beneficiaries and backers would not allow it.

But they rallied round the swag, boys,
Rallied once again,
Shouting the battle cry of plunder.

And in the year 1900 again, the cohorts of monopoly rallied to the cry; the electorate was again debauched with the enormous rake-off contributed by the plunderbund and monopoly again resumed its scientific robbery of the people on a grander and more stupendous scale.

Having paid the Republican party for protection in their piratical schemes for the robbery of the people, the trust justly concluded that the further prosecution of their manifold devices for exploitation of monopoly would not be interfered with.

The Republican Presidents and the Republican Congress for the next four years remained as silent and impassive as was their Republican platform in dealing with the giant trusts and monopolies that were tightening their hold upon the people.

Consolidation and amalgamation of small monopolies which controlled but sections of the country into single great monopolies that embraced the whole country now began to appear. The Standard Oil Company had secured the monopoly of oil from Maine to California, from the great lakes to the gulf. The steel and iron, meat, leather and tobacco monopolies were almost as complete and extensive.

The grip of the octopus of monopoly for the next ensuing four years was rapidly tightening year by year.

In 1904 the national convention of both of the great political parties again formulated their platforms.

With the evidence plainly before each of these conventions that the people were being robbed and plundered by the great

corporate monopolies, the parties framed their platforms and selected their candidates.

The Democratic party for the third time recognized the great danger impending over the Nation as the result of the tremendous growth of monopoly and privilege and again warned the electorate of the result that must inevitably follow from its continuance and declared:

"The gigantic trusts, fostered and promoted under Republican rule, are a menace to competition and an obstacle to business prosperity.

"A private monopoly is indefensible and intolerable. * * * We denounce rebates by transportation companies as the most potent agency in promoting these unlawful conspiracies against trade. * * * We demand the strict enforcement of existing civil and criminal statutes against all such trusts and monopolies and the enactment of such further legislation as may be necessary to effectually suppress them."

So flagrant and oppressive had these great monopolies become at this time that the Republican party for the first time in 1904 was compelled, out of deference to public sentiment, to take notice of the word trust.

In its platform of 1904, for the first time, the Republican party uses the word, but notice, my friends, the subtle and ladylike language that it uses in speaking of its friends and financial supporters, the trusts of the country. I quote it verbatim:

"Control of Trusts. Combinations of capital and labor are the result of the economic movement of the age, but neither must be permitted to infringe upon the rights and interests of the people. Such combinations when lawfully formed for lawful purposes are alike entitled to the protection of the laws, but both are subject to the laws and neither can be permitted to break them."

This is the plank of the Republican convention of 1904 in its entirety. "Vox praeterea nil."

This Jack Bunsbian language can be as appropriately applied to a combination of milliners as to a combination of bank burglars.

It was the manifest intention of the leaders of the Republican party, every man of whom was directly or indirectly financially in the great trusts and monopolies which were oppressing the people, to continue the era of loot and protect the incorporated looters that furnished them their gigantic campaign funds and made most of them millionaires. Immediately after the election of President Roosevelt, the freebooters of finance resumed with added confidence their colossal schemes for plundering the public.

By devious methods having procured control of the great life insurance companies, banks and railroads, they used the trust moneys of these institutions to acquire the stocks of the smaller banking, railway, street railway and industrial corporations, and having placed themselves and their satellites on the boards of directors of these smaller concerns, they started their engraving and printing departments to work and issued to themselves billions of dollars worth of bonds and stock certificates which they then listed upon the stock exchanges and proceeded to deal out to the gullible public.

In 1904 the United States census estimated the total wealth of the United States at $107,000,000,000.

Yet while the total wealth of the whole country of every character as estimated by the United States census bureau was only $107,000,000,000 these conscienceless freebooters had stocked and bonded four classes of corporations alone, the steam railroads, the public utility corporations, some mining corporations, and some industrial corporations at the enormous sum of thirty-six and one-fourth billions, as shown by Moody's Manual of 1906. In other words, these frenzied financiers had listed upon the stock exchange and offered to the public for consumption stocks and bonds of these four classes of corporations alone, at a supposed value of thirty-four per cent of all the wealth of the United States.

As a sample of how the public were being swindled by these watered stocks and bonds let me cite the case of the American Tobacco Company as recounted in this month's number of Everybody's Magazine.

In 1890 five tobacco firms, having real estate and buildings worth $400,000, were incorporated in New Jersey for $25,000,000. This stock was actually sold to the credulous public for from 63 to 180 cents on the dollar.

In 1898 the public having "digested" the $25,000,000 issue of stocks and bonds, Jim Keene and the Standard Oil crowd became interested, got control and again started the stock and bond factory, and the stock and bond capitalization was increased to $50,000,000.

Now a rival pirate ship appears in the offing; Thomas F. Ryan, B. A. P. Widener, et al, having noted the success of American Tobacco in the stock market, under the able guidance of Standard Oil, conceived the idea of a rival tobacco company, and, aided by the sagacious counsel of Elihu Root, now Secretary of State, organized the Union Tobacco Company in 1899, capital stock $10,000,000, of which $1,350,000 was the only cash actually paid in.

The new company had friends in Congress, notably in the Senate, and the duties upon tobacco could be readjusted so as to help the new company and injure the old. Result—consolidation, satisfactory legislation and new orders to the printing and engraving bureau for the issuance of $35,000,000 more stock. Before the passage of any legislation which would help the tobacco interest, it was deemed proper to get control of the stock of the only formidable rival in the country, a St. Louis corporation making plug tobacco. This is accomplished by the issuance of more stock, making the total capitalization in June, 1901, of nearly $200,000,000. Then the Republican lawmaking machine, with three Senators, heavy holders of tobacco stock, passed a law giving proper protection to the great tobacco interests of the United States, and the printing and engraving bureau continued its good work until in 1907, the total capitalization of this great home industry, including its dummy and subsidiary companies, aggregates the enormous sum of $500,000,000.

This $500,000,000 of American Tobacco stock and the stock of its subsidiary companies is part of the thirty-six and one-fourth billions of stock and bonds, mentioned in Moody's Manual of 1906, and has been swallowed by the American public and it is the effort of that public now to digest these stocks which has given the American stomach that violent cramp which we call the "panic".

The thirty-six and one-fourth billions of stocks and bonds comprise an enormous amount of stocks and bonds issued in the same manner as the tobacco stock. It was issued originally, of course, by the frenzied financiers to themselves, but not to be held by them. Calling a dollar ten dollars and then holding it does not enrich the holder, but calling one dollar ten dollars and getting another man to pay ten dollars, or nine dollars for it, does enrich the man who suceeds in making such a trade. That is what the kings of finance, under the protection of Republican rule, have been doing for years.

They incorporate an enterprise for ten times its value, list its stock on the exchange at that fictitious figure, hold it there until honestly or dishonestly, a couple of dividends are declared, then sell the stock for such prices as they can get a buncoed public to give. Their brokers will take five per cent margin from any gambling lamb, and their bankers, before the crash, would loan seventy-five per cent on the quoted value of the stocks. Anything and everything to get the money of the confiding public.

By such methods and artifices, the dear confiding public were induced to bolt, but had not digested, an enormous amount

of this thirty-six and one-fourth billion stocks and bonds, and found itself, in the summer of 1907, suffering from a bad case of financial indigestion. Some time prior thereto, our strenuous and well meaning President discovered that some of these mighty monopolies, notably the Standard Oil Company, the Northern Securities Company, and some of the big railway corporations were not only skinning the public by stock manipulations, but were violating the Interstate Commerce Act by giving and getting secret rebates and other devices. Not being a man, so constructed as to differentiate between a big criminal and a little one, he ordered their prosecution and exposure and publicly and emphatically declared he would continue to so act while he held public office.

This announcement may or may not have affected the spirits of the patient suffering from indigestion, but whether it did or not, it was not the cause of the malady.

The vicious policy of the Republican Congress in throwing a high protective wall around the products manufactured by these mighty monopolies, and its refusal to enact and enforce anti-monopoly and effective interstate commerce acts, which would prevent rebates and discrimination, has enabled these oppressive combinations to become powerful and dangerous, so dangerous as to threaten the perpetuity of this Republic. These great combinations today control the Republican party and through it, the Government of this country.

TARDY JUSTICE TO EX-MAYOR DUNNE.

EDITORIAL IN CHICAGO TRIBUNE, NOVEMBER 13, 1908.

A friend of ex-Mayor Dunne has called attention to an editorial published in the Tribune two years ago which he believes did an unintentional injustice to the ex-mayor in the heat of a political campaign. The Tribune said that the mayor had packed the board of education with boodlers. In justice to Mayor Dunne the Tribune has reexamined its editorial and agrees that the complaint of the ex-mayor's friend has some foundation.

The Tribune never intended to charge Mayor Dunne with intentionally appointing men of that character to the board of education.

It was its purpose to criticise his judgment of men. While differing radically from him on his political views and questioning his sagacity in making political appointments, the Tribune at no time has questioned the personal integrity of Judge Dunne, his desire to appoint honest men to office, or his honesty of purpose in the selection of his appointees.

It is but fair to say of him that during his long career in public life, as judge, as mayor, and as a leader of the Democratic party in the State, he has neither affiliated with boodlers nor wittingly appointed them to public office.

LINCOLN, THE LAWYER.

ADDRESS AT BAR BANQUET, GALESBURG, ILL., FEBRUARY 12, 1909.

Mr. Toastmaster and Gentlemen:

Throughout the American Nation, in every city, town and hamlet within its mighty confines, the people of this land are tonight celebrating the centenary of the birth of one of the noblest characters in American history and one of the greatest philanthropists and humanitarians in all history. We, in common with millions of our fellow citizens, are met to do honor to the memory of a man who in his lifetime was, because of his devotion to ideals which struck at sinfully acquired property, more vilified and calumniated than any man of his day or age; who died a martyr to high principles, but whose fame and name have continued to grow in the estimation of the world till it has become one of the greatest in history. The many sided aspects of this great character will be displayed and descanted upon throughout the Nation tonight, but there is one facet of the stone which members of the bar should carefully examine and consider.

Lincoln was a statesman, Lincoln was a philanthropist, Lincoln was an orator and Lincoln was a lawmaker and Chief Executive of a great Nation. But Lincoln was also a lawyer and Lincoln as a lawyer should be an appropriate theme for discussion among American lawyers.

Let us for a short time consider Lincoln, the lawyer. For twenty-three years of his life, Abraham Lincoln practiced law for a living in the Springfield district of this State in what was then known as the Eighth Judicial circuit. That circuit for a time comprised fully one-seventh of the whole area of the State. Because of its immense area, the difficulties of travel in those early days, and the fact that the Supreme Court was held in Springfield, Lincoln seldom, if ever, engaged in any litigation outside of that circuit.

His career as a lawyer began, continued and ended in that circuit. The chief characteristics of that career were indefatigable industry, remarkable modesty and absolute integrity.

No man in the profession in this time worked so tirelessly and incessantly. Astride a powerful horse with his saddle bags containing his briefs and pleadings, or, in a wobbling, dilapidated

buggy he followed the circuit judge from county seat to county seat through fourteen counties, over almost impassable roads, sleeping in impossible taverns, often sharing a bed with fellow lawyers, or sometimes with the circuit judge himself. For weeks at a time he was away from his home and office, constantly trying cases in the then obscure and widely separated county seats of eastern central Illinois. No farmer or mechanic of today did half of the physical labor performed by Lincoln in making these fearful pilgrimages. The remarkable feature of these laborious trips is the fact that throughout them all he preserved his health and good temper. The physical hardships of his early life seemed to have enured him to all kinds of harrassing wear and tear, his temperate habits preserved his extraordinary physical strength, and the unfailing good humor and light-heartedness with which his Maker endowed him, enabled him, after a hard day's work, to cast off his cares as easily as he discarded his overcoat.

No lawyer in the circuit tried as many nisi prius cases as did Lincoln. For a time in his career on the circuit he was almost incessantly in court, being retained on either side of nearly every case on trial.

Nor were his labors confined to the Circuit Court. The labor performed by him on briefs filed in the Supreme Court was prodigious. In the first twenty-five volumes of the Supreme Court reports his name appears as counsel 173 times. In some of these cases, doubtless, the briefs may have been prepared by associate counsel, but no lawyer could have had 173 cases in the Supreme Court within twenty-three years without having done an enormous amount of work on the same, both in the Circuit and Supreme Courts. The wonder of the thing grows upon us when we reflect that for many years he prepared his own pleadings in long hand; that his brief book was kept in his pocket and sometimes in his hat, and that in his early days in the profession, he was very careless and unmethodical.

His industry, however, marvelous as it was, never equaled his modesty. Lincoln was not a commercial lawyer. He knew not how to capitalize anything; least of all did he know how to capitalize his own wonderful genius. The possessor of rude but convincing eloquence that persuaded juries and convinced courts, endowed by God with a nobility of character and a love of truth which shone through his every act and work and brought success to nearly every cause he championed, this great man and this great lawyer was possessed of an instinctive modesty that refused to rate his own worth in mercenary cash.

The man who within a few years afterward gave utterance to that immortal classic at Gettysburg and penned the likewise immortal Emancipation Proclamation, in his own estimation as a lawyer, was not worth $25 a day. Think of it, you men who are practicing law here today. Think of it, you men who can't attend a court without feeling that you are the judge, or a wedding without becoming of the opinion that you are the bride, or a wake without believing that you are the corpse. On one of his circuits, it is said Lincoln only collected $5 in cash. On many of them, most of his fees were $5 a trial, and in but very few cases did he receive $50.

Lincoln should have had some of the commercial lawyers that I know as a partner. Instead of going into the White House poor, he could have been able to boast that his acceptancy of the Presidency was a financial sacrifice.

His guileless and uncommercial character as a lawyer is but illustrated by his notes made preparatory to a law lecture.

"The matter of fees is important," he wrote, "far beyond the mere question of bread and butter involved. Properly attended to, fuller justice is done to both lawyer and client. An exorbitant fee should never be charged. As a general rule, never take your whole fee in advance, nor any more than a small retainer. When fully paid before hand, you are more than mortal if you can feel the same interest in the case as if something was still in prospect."

Contrast this idea with those of the modern commercial lawyer.

On one occasion when he learned that an attorney who had retained him had charged $250 for their joint services, he refused to take any share of the money until the fee had been reduced to what he deemed a reasonable amount.

For this and other outrages of this character upon the legal profession, he was denounced by Judge David Davis, who said: "Lincoln, you are impoverishing the bar by your picayune charges," and he was tried by his brother lawyers in a mock court, condemned, found guilty, and paid his fine with the utmost good nature.

The lack of financial acquisitiveness, amounting at times to self-deprivations, characterized his every station in life, from grocery clerk to the Presidency, and impelled him at all times to side with the under dog and to champion the cause of the poor, the lowly and the oppressed.

But Lincoln, the lawyer, was not only industrious and modest, he was uncorruptibly honest. He could not and would not lie, dissemble, pettifog or corrupt. Lincoln fought his legal

battles in the open. Although a power in politics, he never mancuvered and intrigued to get a man on the bench that he could own. Although a member of the Legislature and of Congress, he never was a lobbyist, either during his term of office or afterwards. He never joined swell clubs or fawned upon the wealthy. He never invited judges on the bench to stretch their legs and consciences at private dinner parties. He never dosed them with Ruinart and Cliquot or furnished them with private cars and free transportation. He had no systematized departments in his law office called "Tax Department" wherein the duties of the tax lawyer was to fix the assessor; "Legislative Department," wherein the legislative lawyer was detailed to see the councilman and assemblyman; "Publicity Department," wherein the publicity lawyer was employed to fix the newspapers; "Claim Department," wherein the claim lawyer was detailed to get to the hospital with a receipt in full before the injured claimant was operated upon; "Coroner's Department," wherein the deputy lawyer arranged to draft the verdict for the accommodation of the coroner's jury; nor a "Settlement Department," whose duty it was to settle cases with litigants behind the backs of the lawyers who had brought suits and got them in readiness for trial. Lincoln would have scorned to preside over, or be found in such a law office.

Lincoln tried some important lawsuits for corporations who needed his unquestioned ability in court as a trial lawyer, but he never became a corporation lawyer in the modern sense.

His ability could be hired, but not his conscience. He could never be hired to advise a client, no matter how wealthy, how to violate the law, how to cajole or corrupt a court or jury, how to fix an assessor, or debauch a councilman or legislator.

Even when retained in a case where he owed the duty of giving his best efforts to his client, he insisted that the client must act with honor.

It is said that during the trial of one of his cases he detected his client acting dishonorably, whereupon he walked out of the court room, and refused to proceed with the trial. Upon the judge sending a messenger after him, directing him to return, he positively declined, saying, "Tell the judge my hands are dirty and I've gone away to wash them."

Nor would he accept a retainer in a case which was legally right, but morally wrong.

To a prospective client, seeking his services, he once said:

"We can doubtless win your case, set a whole neighborhood at loggerheads, distress a widow and six fatherless children, and

thereby get you six hundred dollars, to which you have a legal claim, but which rightfully belongs to the widow and her children. Some things that are legally right are not morally right. We would advise you to try your hand at making $600 some other way."

At another time he refused to allow his partner to file a dilatory plea which was not based upon facts, saying: "You know it is a sham, and a sham is very often another term for a lie. Don't let it go on record. The cursed thing may come staring us in the face long after this suit is forgotten."

Such were the principles that actuated and governed Lincoln in the practice of his profession.

In these modern days the spirit of commercialism is altogether too rampant. The success of a man is too often measured, not by what he has achieved, or attempted to achieve, but by what he has amassed.

Unfortunately there is too much of a tendency to apply this test of success in life to the professions, to the surgeon, the engineer, and the lawyer. Is it the true test? I sincerely believe it is not.

A remunerative practice in any profession is a laudable ambition, but too often that ambition is tainted with the "get-rich-at-any-cost" spirit of the age.

In the mad rush for wealth is it not well for the lawyer of this day to reflect upon such an occasion as this that men like Abraham Lincoln have lived and labored hard in our chosen profession; have been loyal to their clients' interests, have adhered to lofty ideals and preserved the purest ethics of the profession without amassing wealth? Is it not well to reflect that these lawyers have left behind them records of professional success and names that will never fade from the pages of legal history, names that will be recalled with respect and admiration among generations yet unborn, when the names and deeds of lawyers whose successes are measured merely by their financial acquisitions are lost in oblivion?

Such a name and such a fame is that of Abraham Lincoln, the financially poor, but ethically and morally rich lawyer of central Illinois.

PROTESTS HONOR TO JUDGE DICKINSON BY IROQUOIS CLUB.

LETTER TO THE IROQUOIS CLUB, MARCH 6, 1909.

I am in receipt of your invitation to attend a reception and banquet to be given in the clubrooms, on Tuesday, March 9, 1909, to Judge Dickinson as a mark of honor and a testimonial of respect to him upon his acceptance of a position in the Cabinet of President Taft.

If this reception and banquet were tendered to Judge Dickinson by citizens, irrespective of party and party affiliations, I would be pleased to attend, as I have the highest respect for Judge Dickinson as a lawyer and as a citizen who has the right of every citizen to change his political beliefs and affiliations at any time.

As a citizen I congratulate Judge Dickinson upon his selection for a position of great dignity and honor, and I sincerely wish the present administration, Judge Dickinson and every member of the Cabinet every possible success in their public careers, and earnestly hope that their public life will be a record of patriotism and accomplishment.

As the reception and banquet, however, is tendered to him by a club which claims and has always claimed to be an exclusively Democratic organization, at a time when he, Judge Dickinson, has publicly abandoned the Democratic party and entered the ranks of the Republican party, I cannot consistently attend and must respectfully protest as a member of this club against tendering such an honor at such a time and under such circumstances.

If Judge Dickinson supported Judge Taft for the Presidency he abandoned the Democratic party in the last campaign and became a Republican. If he did not support Judge Taft for the Presidency, his acceptance now of a position in the Cabinet of the President is a public announcement of his allegiance to and accordance with the principles of the Republican party and a repudiation and an abandonment of the Democratic party and its principles.

For a Democratic club to tender its congratulations in this manner to a gentleman because of his recent abandonment of his party and its principles and his espousal of the opposite party strikes me as highly inconsistent, if not ridiculous.

I, therefore, most respectfully decline to accept your invitation and desire to record my protest against the action of the club in tendering any such honor to Judge Dickinson under the existing circumstances.

THE TRACTION SLUSH FUND.

EXTRACT FROM AN ADDRESS, APRIL 5, 1909.

The information which came to me—and which I believe to be absolutely true—was that the slush fund was not as small as the $350,000 or $360,000 that some of the newspapers say it was, but that it aggregated $600,000. I will not say whether one or two big leaders who received the $50,000 each belong to the Republican or Democratic party organization.

But I will say that I am satisfied that a slush fund of $600,000 was raised by traction interests to put through the traction settlement ordinances. I was mayor at the time, and it was because of what I knew of the situation that the information about the slush fund and where it went reached me in the course of time.

The subcontracting and rebating provisions of the ordinances were criticised by me at the time as likely sources of graft. I thought there were some excellent provisions in the ordinances. But the vicious things—the "jokers" in the measure—were numerous. I did my best to expose and eliminate them, but the ways were "greased", as is now admitted.

However, it was a greasing that will prove costly to the city, as under the operation of the vicious "jokers" the city's 55 per cent income from the net receipts of the traction business is gradually dwindling away. Unless I miss my guess, the city's net will continue to diminish until the net is a "nit" and nothing more.

ANNOUNCEMENT OF CANDIDACY FOR GOVERNOR.

STATEMENT TO THE PUBLIC, JANUARY, 1912.

For fifteen years Republican jackpot bosses have been in complete control of the government of the State of Illinois. During that period the expense of maintaining the government has increased from about five million dollars per annum, under the last Democratic Governor and true friend of the people, Altgeld, to the staggering total of nearly fifteen million dollars per annum under Deneen. During that period the State has been disgraced and its citizens humiliated by an unparalleled saturnalia of debauchery and corruption. The great corporations have evaded just taxation and the public resources have been wasted and dissipated.

During that period our Legislature and the state board of equalization have become a by-word and an object of scorn because both have taken orders from jackpot bosses, who have abused their self-assumed authority by throttling the demands of the people and forcing obedience to the commands of the corporations and trusts doing business in the State.

STATE LEGISLATURE WAS DEBAUCHED.

During the same fifteen years a group of machine bosses, composed at times of political adventurers from the State at large, but recently of survivors of the fierce factional wars that have torn the Republican organization of Cook County to shreds and tatters, has conducted openly and shamelessly, but always profitably, a system of political office brokerage, through which they have kept their camp followers in public places. The people of Illinois have paid the bills. The system began with the Tanner administration in 1897 and has continued through the several terms of Yates and Deneen. Hundreds of thousands of dollars of the people's revenues have thus found their way into the pockets of political parasites whose labor consisted in drawing their breaths and their salaries.

The debauching of the legislature was coincident with the restoration of the Republican party to power fifteen years ago.

The passage of the Allen bill, which sought to rob the people of Chicago of their right to control their own streets, the gas frontage and consolidation bills and other equally infamous measures, in a single session, seem to have broken through that moral fiber which, theretofore, constituted a check upon the greed and immoral tendencies of our public servants. You have only to scan the testimony of those who have appeared as witnesses before the Senate committee that is investigating the election of Senator Lorimer to ascertain the extent of the corruption that is seemingly permeating every avenue of Republican activities in Illinois. It is a continuous story of jackpots. During these fifteen years the state board of equalization, a majority of whom are obscure political henchmen of these same bosses, has been steadily reducing the taxation justly due from the railroads and other corporations, and thus throwing an additional and unjust burden upon the other taxpayers of the State.

JACKPOT BOSSES STIFLE PEOPLE'S DEMANDS.

During these fifteen years of power these jackpot bosses have repeatedly turned a deaf ear to the demands of the people for a direct primary by having enacted a series of imperfect laws, knowing them to be imperfect, that were declared null and void by the Supreme Court, one after another, as often as they came before that court and not until 1910 did these jackpot bosses permit the passage of an act that was within the limitations fixed by the court. Even that law does not give the people the power they should have in selecting candidates.

The people's demand for the initiative and referendum, twice asserted by popular vote and by overwhelming majorities, has been ingeniously evaded and finally denied.

The advisory primary vote of the people, governing the selection of a United States Senator, was repudiated by a Republican General Assembly with the connivance of a Republican Governor and the will of the people of the State thus set at defiance by a scandalous cabal, of which Deneen and Lorimer were the leading spirits. And while that bold crime against the dignity and authority of the people was being framed, with its tragic sequel of confessions of bribery and criminal prosecutions and death, Deneen and Lorimer, according to the sworn testimony of Deneen, were meeting at the State Capitol daily and there discussing the possibility of the Supreme Court voiding the then existing primary election law, and whether or not, if such a decision were handed down, Busse, then mayor of Chicago, would employ the police force to drive them (Deneen and Lorimer) from power in Chicago. Could there have been a more logical setting for what followed?

JACKPOTTERS AT EACH OTHER'S THROATS.

Now the Republican leaders are all at each other's throats—Deneen, Lorimer, Busse, Campbell, and Pease, and their followers and satellites in the State. They have grown rich and powerful, and no longer are in agreement about how to divide the spoils. They cannot again fall back upon the so-called protective, but in truth, the robber tariff, and the delusive "full dinner pail," and for once find themselves with no cohesive strength to further delude the public. Such being the situation of the Republican party and its leaders in this State, the time has arrived, in my judgment, when the public will not longer be misled and imposed upon by the discredited and disunited firm of political office brokers and their parasitical followers.

The steady adherence of the Democratic party to the policy of tariff for revenue only is at last to bear fruit, and the public, too long exploited and plundered by the party in power, is ready to turn to honest doctrines and progressive Democratic measures. Believing this to be the condition of the public mind, it is my firm conviction that the Democratic party is about to return to power in this State and also in the Nation, pledged to the enactment of laws governing corrupt practices at election, election of Senators by direct vote of the people, the abolition of that instrument of venality and favoritism in taxation, the board of equalization, the enactment into law of the initiative and referendum and other progressive measures which will restore representative government and assure the people of permanent control of the functions and prerogatives that have been wrested from them by the forces of special privilege through the debauching of corrupt public servants.

JACKPOT GOVERNMENT MUST GO.

In other words, I believe the time has come when jackpot government must go and when the honest manhood of Illinois will rescue their commonwealth from the wickedness, favoritism and corruption that are besmirching its good name.

It may be that owing to the expense necessarily involved in making a thorough canvass of the State, I may not be able to reach personally or by mail many thousands of my fellow citizens, and because of this situation I am constrained to ask the cooperation and support of all who believe in clean, honest and progressive government. I ask them to give me their assistance upon the pledge that if placed in the Governor's office of this great State, I will devote my whole time, energy and such ability

as I may possess to the regeneration of its politics, and in substituting for the existing rule of the "jackpotter" and "office broker" the rule of the people, who are and should be the makers of the Constitutions and laws of this splendid commonwealth.

E. F. DUNNE.

ADDRESS IN MEMORY OF JOHN P. ALTGELD.

AT CHICAGO, MARCH 10, 1912.

Mr. Chairman and Gentlemen:

> Marble and recording brass decay
> And, like the graver's memory, pass away;
> The works of man inherit, as is just,
> Their author's frailty and return to dust;
> But truth divine forever stands secure,
> Its head as guarded as its base is sure.
> —Cowper.

Ten years ago there passed away at Joliet, in this State, a great statesman and a just man, the memory of whose name we cherish today.

As the years roll by and as we recede in time from that strenuous era in which John P. Altgeld took such an active and important part, the figure that he made in the history of his day looms larger and grander.

Excepting only Lincoln and Douglas, no man in the history of Illinois has left his impress upon the thoughts and affections of the common people of the State as did Governor Altgeld.

In every crisis that involved the rights and interests of the common people, which arose in the decade from 1892 to 1902, during which Altgeld was a leading figure in public life, he threw himself into the contest with dynamic force and philanthropic disinterestedness on the side of the people. Reckless of consequences, social, political or financial, he preached and practiced the poor man's gospel of equal rights.

GAVE UP ALL FOR MAN.

Possessed of a financial competency sufficient to entitle him to be ranked before his entry into active political life among the the millionaires of his day, and holding a position of dignity and emolument upon the bench, when the call to public duty reached him, without calculating the cost, he abandoned his private interests and resigned from the bench to fight the battle of man against Mammon.

A more unique and remarkable character never appeared in the history of the Middle States of America.

A German immigrant of weakly frame and constitution and without financial resource, we find him a poor working boy in this country, when it became involved in a life and death struggle for its existence.

Possessed of that courage and love of liberty which has characterized the Teutonic race from the time when, with undaunted hearts and naked bodies, the Allemani fought the serried and cuirassed legions of Rome under Caesar and preserved their independence of Rome along the banks of the Rhine, Altgeld, at 16 years of age, risked his life for the abolition of human slavery and the preservation of his adopted country.

Preserved by Providence for greater accomplishments, Altgeld returned from the battlefield, unscathed in body, to resume the duties of the citizen in time of peace.

He quickly acquired by self-education the qualifications of a successful teacher, taught school for a period, during which his laudable ambition and tireless energy procured for him admission to the bar.

A LEADER AMONG LAWYERS.

His wonderful intellect and tireless energy soon placed him among the leaders of his profession, and then upon the bench, with a fortune amassed from his practice and judicious investments.

Always a deep thinker and a humanitarian, when he took his seat upon the bench he became a student of social problems. That the rapidly produced wealth of the country was being concentrated in the hands of a few exploiters of labor, while the real producers of this wealth were but scant partakers of the same; that half-starved workingmen walked the streets of great cities, where policemen guarded safety deposit vaults containing billions of securities, and that the laws and policies of government not only permitted but fostered such an inequitable distribution of wealth, caused Altgeld, as it caused Henry George and Tom Johnson, to take an active part in public life, with the design of remedying such dangerous conditions.

No man ever entered in the active warfare of politics with more unselfish and more disinterested motives.

In 1892, when called upon by the Democratic party to become its candidate for Governor of Illinois, he had an ample fortune, a position of dignity and large property interests. Political promotion beyond the Governorship was impossible by reason of his foreign birth. Yet the hope that, by holding the position

of Governor of a great state, he might be able to fight vested privilege and enforce equity in legislation and aid with humane laws the lot of the common laborer which he had shared when a boy, impelled him to make the race for Governor.

A SHOCK TO CORRUPTION.

His election to that office was a shock to every tax-dodging, law-defying, labor-skinning and judge-corrupting plutocrat and corporation in America.

That a man who believed in absolute equality before the law, and who could not be bribed, browbeaten, cozened or cajoled by the agents of special privilege, should occupy the highest position in the great State of Illinois was to them a matter of serious portent.

If the precedent should become contagious, what might happen? At once the syndicated powers of privilege and plutocracy opened war upon the Governor.

Most of the metropolitan papers of the country were already under the control of the moneyed interests. Such as were not and were needed were speedily secured, pelf, not principle, being the actuating motive.

A campaign of slander, vituperation and billingsgate unparalleled even in the unscrupulous methods of the modern dailies was inaugurated and maintained by the unprincipled owners of these papers to blacken the character and weaken the influence of this high-minded and courageous friend of the people.

His motives were impugned, his utterances distorted, his acts misrepresented, his financial interests assailed, his public and private life assaulted with all the venom that the human mind was capable of exuding.

PICTURED AS ANARCHIST.

He was pictured as an anarchist with a bomb in one hand and a torch in the other. The sewers of mendacity and the cesspools of malignity were scraped dry and the contents hurled against the name and character of the people's friend. They succeeded in driving him from office and ruining his fortune, but with his back to the wall and his face to the stars, Altgeld gave back blow for blow, and in justification of his course left as a monument to his name and a vindication of his acts and motives, State papers that will be more imperishable than all the monuments of granite and bronze that were ever erected; aye, more enduring than the pyramids that in the Egyptian deserts have withstood the wear and tear of forty centuries.

Ten years have passed since the great Governor of Illinois and true friend of the people has been called to his reward, and now as the impartial student of history in the privacy of his library reads the splendid messages of Governor Altgeld, in which he explains his pardon of the condemned anarchists, and his protest against the unlawful usurpation of Federal authority by President Cleveland, he cannot but be convinced that Altgeld was a statesman of lofty character and sublime courage.

Nor is his character disclosed solely in his public messages. All through the essays, treatises and speeches which he left behind him, we find the lofty ideas of the humanitarian and philosopher.

In warning the young men of the danger of the lust of wealth, he asks: "Which should a young man, starting in life prefer: to be able to stand erect in God's sunlight and take his chances, free from the burden of tainted dollars; or a fortune of ill-gotten wealth with the deformity of soul, the destruction of noble manhood, the blight of dissipation and physical disintegration that too often accompany such an inheritance?"

FORTUNES AMASSED FROM ILL-PAID LABOR.

In speaking of fortunes amassed from ill-requited labor, he asks: "Can we expect our children to be happy and free from inherited blight if we give them the money we have made from underpaying the labor that helped us amass a fortune?"

In discussing the unjust burdens of labor under existing laws, he blazed the way for remedial legislation which only last year has been enacted in this State. These were his words: "In all large industries accidents happen, laborers get crippled, crushed, killed. This means widows, poverty and wretchedness. Justice requires that accidents should be charged up to the business, that those who are maimed should be cared for by those for whom they toiled."

In discussing the evils of a standing army on another occasion, he said: "Instead of a standing army being a preserver of peace, it is a constant provocation to war and a continual menace to the liberties of a country. Tyranny must rely upon brute force, but republics must look to the affections of the people for protection."

What a splendid exhibition of benignant philosophy is contained in these words written by him a short time before his death: "He who has deep down in his soul the knowledge that he has always fought for the right, and that he never knowingly has wronged another, could not be unhappy though the world were arrayed against him."

THE LIBERTINE AND THE GREAT DAILIES.

And in denunciation of the libertine, what truer words were ever written: "The man who ruthlessly abandons a woman who has believed and confided in him destroys himself and, though he fly to the end of the earth, the curse will follow."

And in discussing the methods pursued by the great dailies of his day, how truthful are the following statements: "Few men have grown great upon the large newspapers during the last generation. Many men of excellent ability, fine education and noble aspirations have entered the field. They became for a time more acute and better able to serve their masters, but they degenerate in character. No man can hide behind a hedge and throw missiles at people traveling on life's highway without deteriorating.

"The great dailies lay the blight of their conduct upon all who are connected with them. The proprietor may wield power for a time, but with rare exceptions the same dragon of wrong conduct that swallows up the smaller men in his employ will destroy him also."

TO CONTEMPLATE A NOBLE STRUCTURE.

To appreciate the stateliness, the symmetry and grandeur of a structure which is a triumph of architectural skill, one must not stand close to its wall and place one's hand upon its polished surface.

One must recede from it to some distance in order to drink in and absorb its stately outlines. So it is in the case of Altgeld's character. As we recede in time from the period when that character developed its full greatness is disclosed.

Today after the lapse of years we recognize in the character and life of John P. Altgeld a symmetry and grandeur rarely equaled among the public men of his day and age.

WHAT NAME AND MEMORY SHOULD WE LEAVE?

ADDRESS ON DECORATION DAY, MAY 30, 1912.

Mr. Chairman, Ladies and Gentlemen:

"Our fathers' God! from out whose hand
The centuries fall like grains of sand,
We meet today, united, free,
And loyal to our land and Thee,
To thank Thee for the era done,
And trust Thee for the opening one."

Half a century has passed since, in the mighty struggle for the preservation of this great Republic, brave men gave up their lives upon the altar of patriotism. They died that their country might live and that country living, delights to honor the names and graves of those who died in her cause.

Throughout the length and breadth of this great land, under the whispering pines of Maine, in the everglades of Florida—from the rolling billows of New Jersey, to the golden sands of California, loyal and grateful men and women are today gathered by grass-grown graves of the heroic soldiers of the war of the Republic, scattering fragrant flowers upon the beds in which lie at rest all that was mortal of their deathless dead. Thus does a grateful Nation honor its fallen defenders and a more worthy and inspiring ceremonial was never engrafted upon the customs of an intelligent and self-respecting people.

To the credit of America this beautiful custom has never been abandoned or neglected, since it was first established half a century ago. We are here today to participate in that time-honored practice, and today, with reverent hands we gently strew upon the graves of the dead soldiers, now sleeping their eternal sleep in this cemetery, the flowers of affection and remembrance.

"Dulce et decorum est pro patria mori."

'Tis pleasant and proper to die for one's country, but it is also pleasant and proper for those who have not had that honor and glory, to perpetuate the memory of those who have given up their lives in their country's cause.

May the day never come when the men and women of this country are indifferent to and neglectful of this beautiful custom.

As the years roll by and as new generations of men spring into being, of course, it is natural that those who did not personally know and who are not closely related to the patriot dead, may not feel the same poignant personal grief for those now resting beneath the graveyard's sod, as those of the past generation, yet the spirit that caused the institution of Decoration Day should not be allowed to subside or be forgotten. 'Tis the sentiment of a Nation, not the personal grief of individuals, that Decoration Day should typify and express. A nation without sentiment is doomed to decay.

Some one has said:

"A land without memories is a land without history. A land that wears a laurel crown may be fair to see, but twine a few sad cypress leaves around the brow of any land and it becomes lovely in its consecrated coronet of sorrow. Crowns of roses fade, crowns of thorns endure, Calvaries and crucifixions take deepest hold of humanity; they pass and are forgotten; the sufferings of right are graven deepest in the chronicle of nations."

And a poet sings:

> "Give me the land that is blest with the dust
> And bright with the deeds of the down-trodden just
> Give me the land with a grave in each spot
> And names in the graves that will not be forgot."

The tendency of the age in which we live is altogether too materialistic. If truth be told in these modern days, we have become money-mad. In the last quarter of a century we have produced billionaires and millionaires by the thousands, but where are our great American composers, painters, sculptors, dramatists or poets? In these days men point with awe and reverence to the gigantic financial figures of Morgan, Rockefeller, Carnegie and Harriman, but seem to forget, in the absence of their intellectual equals, the glory which Prescott and Bancroft, Irving, Lowell and Longfellow have brought to America.

No poet comparable to Longfellow or Poe, no statesman like Clay, Calhoun or Webster, no orator like Dougherty, Breckenridge or Ingersoll, has risen upon the intellectual horizon of this country within the last twenty years. The sentimental aspirations of our people, that which makes for lofty ideals, for poetry and patriotism, for intellectual development, seem to be submerged in the intense struggle for material wealth and the enjoyment of the gross material luxuries which wealth brings in its train.

To such a pass have things come in this age of enormous wealth and gross materialism that the days set apart in more patriotic times, for the commemoration of the glorious achievements of American history, are now devoted by many Americans to the gratification of their love for display or sport. Instead of the reading of the Declaration of Independence and patriotic speeches on the Fourth of July, we now have an automobile race with its train of homicides, or a baseball game.

On Thanksgiving Day, instead of thank offering, we have a football game and a bacchanalian feast, and on Decoration Day, it has just been seriously proposed in this city to have a gigantic parade of draft horses, which would enable the pork packers and big teamsters of the city to display the equine wealth of their stables.

No such honors to the horse have ever been contemplated since the day when a profligate Roman emperor decreed that his dumb charger should wear the honors usually accorded to a Caesar.

Enough of the old patriotic spirit of 1776 and 1861, however, still remains among us to prevent this desecration of the day devoted by the American people to the memory of its patriot dead. Public sentiment favored the hero rather than the horse, and, to the credit of American patriotism, we witness today the attenuated parade of gaunt and grizzled men who still remain to remind us of the days of American valor on the field of battle rather than the dazzling display of stall-fed horses to remind us of the plethoric purses of purse-proud millionaires.

On this holy ground, sanctified by the bones of patriots, let us, my friends, resolve to resist the materialistic tendencies of the times which would place pelf before patriotism and mammon before man. Looking back over history, let us profit by the lives and deaths of the men upon whose graves we have laid our garlands of remembrance. There are two things we can leave behind us—money and memory. We can take nothing earthly with us. There is no pocket in a shroud.

If tomorrow we were to face the great hereafter which would we prefer to leave behind us, a great fortune or an honorable name? Would we prefer to leave the name and memory of such as lie around us, the name of a patriot and a martyr, and lie in an humble grave where grateful Americans come and strew the flowers of remembrance, or leave behind us a fortune to curse our children and lie in a mausoleum of sculptured marble, whose only visitors are the hired mercenaries that guard the tomb from spoliation. The one is the grave of the patriot, the other the tomb of the plutocrat.

There can be no doubt as to how the true American would answer this question. He will prefer to leave behind him the record of a good name, the record of duty done and honor preserved.

All men cannot have the honor of dying for their country, as have the patriot dead that slumber here. But all men can and do fight the battle of life, and that battle can always be fought along sordid or sentimental lines, selfishly or unselfishly.

Let us take inspiration from the graves of the patriot dead. Let us labor as they did for the spiritual, rather than the material, welfare of our country. Let us make this Nation a happy as well as a prosperous land, by placing in the exercise of our duties of citizenship, patriotism before party and man before mammon.

Then we can join with Longfellow and sing to our mother land:

"Our hearts, our hopes are all with Thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are with Thee, are all with Thee."

THE DANGERS OF MONOPOLIES.

ADDRESS AT BELLEVILLE, ILL., JULY 4, 1912.

Mr. Chairman, Ladies and Gentlemen:

Following the laudable and patriotic precedent established over a century ago, we meet today to celebrate the birth of the greatest Republic in history.

Until Thomas Jefferson penned that immortal document which first enunciated correctly the inalienable rights of man and which we with pride call the Declaration of Independence, the nations of the earth had bowed submissively before the political fetich called the divine right of kings. For centuries mankind had been taught that the right to rule was the divinely appointed privilege of the few and that submission to the will of the ruler was the divinely appointed lot of the multitude.

When Jefferson and his compeers in the Continental Congress promulgated to the world the doctrine that "all men are created equal," with certain inalienable rights, including "life, liberty and the pursuit of happiness," and that "All governments derive their just powers from the consent of the governed," they enunciated a new political gospel which shook the very foundation of kingly rights and the vested privileges of centuries.

It is not so much the birth of a new Nation that we celebrate on July 4 as the birth of the new theory of government. Republics indeed had existed in the world's history before 1776, but even in the republics of Athens and of Rome absolute political equality among men was unknown.

The Athenian helot and the Roman slave were inhabitants but not citizens, and strange indeed is the fact that even in this Republic, after the promulgation of the great declaration of human rights in 1776, human slavery in flat contradiction of the principles enunciated in the Declaration of Independence continued to exist for over ninety years.

Vested privilege in the form of legalized ownership of human flesh doggedly resisted the crystallization into law of the principles of the immortal Declaration of Independence, until the conscience of the American people blazed out in civil war in 1861, and at a mighty expenditure of blood and treasure, made the declaration that "all men are born free and equal," for the first time in history, true in fact as well as in theory.

One hundred and thirty-six years ago today this Nation and the idea of political human equality was born and today with pride we celebrate the anniversary.

From a struggling infant among the nations, we have become a giant.

In all things material, we have made marvelous progress. We have the richest country in the world. In the mechanical arts and sciences we lead all nations.

And yet, my friends, there are some things in the midst of our great prosperity that must make the thoughtful, patriotic citizen pause and consider for the future welfare of our country. We have become money-mad. We are living in a purely commercial atmosphere. We inhabit a land richly endowed by nature, where wealth is being amassed with marvelous speed and the aim of too many Americans is to get rich and get rich quickly. We are neglecting the spiritual and intellectual side of life. When the Nation was young, we had our poets like Poe, Bryant, and Longfellow, our historians like Prescott and Bancroft, our statesmen like Webster, Clay, and Calhoun, our orators like Ingersoll, Breckenridge and Dougherty. Where are our poets, our historians, and our literary men of today?

Take up our papers and you will find column after column devoted to the financial achievements of a Rockefeller, a Morgan, or a Carnegie, but not a word about an American composer, an American painter, sculptor, or poet.

Go to any of our clubs and we find that it is the man who has made millions, who is pointed out as worthy of admiration and to whom bow down the obsequious adorers of wealth.

Where are our musicians, composers, artists, poets and orators? Nowhere.

Where are our millionaires? Almost everywhere. As the result of this lustful wealth and adoration of the wealthy, almost the sole aim of the brainy young man of America today is to become rich. He becomes commercialized, materialistic.

There is no great financial reward to be had from the pursuit of literature or art. Therefore he eschews them. He has seen money quickly made by the flotation of consolidated enterprises into great monopolies which reduce the cost and increase the profit of manufacture, particularly in those things manufactured which are the necessities of life. To this avenue leading to quick wealth he directs his ardent steps. This is the bent of the young active American mind today.

What is the result? Great monopolies have been conceived and delivered by master minds in the American business world which have increased the cost of living outrageously.

Food stuffs, wearing apparel, building material, fuel, light, and the other necessities of life are now produced by great monopolies, formed by consolidating many manufacturies into one, over-capitalizing the consolidation, cutting down wages, and raising the prices to consumers.

Attendant upon the great consolidations are strikes and lock-outs among the wage earners, resisting reductions of wages on the one side and discontent and protest by the consumer on the other.

This monopolistic tendency in the American business world is becoming dangerous to the community, particularly where it is fostered and encouraged by law. It is producing many socialists and, I am afraid, some anarchists.

That I am not too pessimistic in this matter is shown by the fact that Moody's Manual of Corporation Securities contains the names of 287 industrial trusts capitalized for about seven billion dollars, most of which are producing the necessities of life.

Nearly all of them are outrageously over-capitalized and, in their efforts to produce dividends on this fraudulent over-capitalization, the workingman is squeezed on the one hand while the consumer is robbed on the other.

To add insult to injury and to increase the burden of the iniquity, about 75 per cent of all the capital invested in these monopolies is favored and fostered by the iniquitous high tariff laws of the Nation.

As the result of this deplorable monopolistic tendency of our time, the increase in the cost of the necessities of life in recent years has been about 50 per cent while the increase of the wage of the workingman has been less than 20 per cent.

The most unfortunate aspect of the situation is that while the wealth of the country is increasing prodigiously year by year, this wealth, instead of being diffused among the multitude, where its good effects could be appreciated in some measure by all classes, is being rapidly concentrated in the hands of a comparatively few.

Senator LaFollette, after careful investigation several years ago, stated in the United States Senate that "less than one hundred men controlled the industries of the whole country" and in the recent investigation of the money trust, made by Congress, it was developed that the six men, controlling the clearing house of New York City, could make or break any bank or industry in the United States.

This consolidation of the manufacture and production of the necessities of life into great monopolies, with the attendant increase of cost to the consumer without a proportionate increase

in the income of the wage earner and the concentration of the wealth produced in the hands of the few is a dangerous menace to the welfare and prosperity of our country.

It is defended by some as an evolution of modern progress. Add one letter to evolution and it becomes revolution. Make a few more additions to monopoly in modern business and it may have the same effect.

Thoughtful minds have been for years alarmed at these dangerous tendencies of the times and have been warning the public against their continuance.

Thomas Carlyle, in his book on the French Revolution, declared that the immediate and provoking cause of that cataclysm was "a hungry belly."

Private monopoly, if left undisturbed, is always rapacious, and, if the necessities of life are in the hands of monopoly, the public will be exploited to the limit of human endurance.

Public control of private monopoly must come as the only remedy. Great leaders of public thought have long reached this conclusion. Col. William J. Bryan has written into the platforms of two national conventions the bold statement that "Private monopoly is indefensible." Senator LaFollette has declared that "The railroads, the trusts, the tariff and the money power control in government and the burdens of the people grow heavier every day. A crisis is at hand," and he attempted to write into the platform of his party a declaration that "monopoly is intolerable."

Following these great tribunes of the people, Col. Roosevelt, Governor Wilson and other patriotic moulders of public thought have pointed out the dangers resulting from the continuance of monopoly in business and warned the rulers of our country of the dangers of the wrath to come.

Let us, my friends, on this day dedicated to the celebration of our national anniversary, give a little thought to this serious aspect of our present day conditions. We are too well educated and too intelligent people to pass over with indifference matters which so seriously concern the welfare of our country.

It will not do for us to say "we are too much engrossed with our private affairs to be concerned with public affairs." It will not do to say "leave public affairs to be disposed of by public men." That is the position of the lazy and indifferent citizen. The indifferent citizen is a bad citizen. He sleeps at his post. The men behind the monopolies never do. Men in public affairs will respond to public sentiment when it is manifested at the polls. If they don't, they go out of office quickly. But an indifferent and sleepy electorate often allows, by its ignorance and indolence,

men in public office and the agents of vested interests to enter into political partnerships, the profits of which are unwittingly paid by the electorate for years before discovery.

Let us, in the exercise of our duties as citizens, place patriotism patriotism, to depart sufficiently from the materialistic tendencies of the age to devote some of our time and attention to the public questions of the day. Let us keep pace with the march of events. Let us, in the exercise of our duties as citizens, place patriotism before party and man before mammon.

If we find aught in public questions of the day which is of serious portent to the health of the Nation, let us by our voice and vote make ourselves heard in averting it. If we find that which makes for the prosperity and well-being of the country, let us stand fast for it. Let us determine to make this Nation a happy as well as a splendid land and sing with Longfellow to our motherland:

"Our hearts, our hopes, are all with thee—
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears
Are all with thee, are all with thee."

THE ECONOMIC PROBLEM OF THE DAY.

ADDRESS AT OTTAWA, ILLINOIS, SEPTEMBER, 1912.

Mr. Chairman and Gentlemen:

On a day set apart by law to be devoted to the celebration of the achievement of labor, it is well for us to discuss those subjects which most materially concern and affect the welfare of the laboring man.

The day can best be celebrated by giving thought to the subjects which most affect the proletariat. To my mind these subjects are those which are concerned with his income, his outgo, and the laws which protect him in his daily avocation.

The workingman is much more vitally concerned about the income which concerns his family, the outgo, or necessary expenditures of his family, and the legislation covering his avocation than is the millionaire or man or woman in easy circumstances.

The workingman is mainly dependent, particularly early in life, upon the wages he earns. He too is concerned in the expenditures necessary to the support of his family. If that income is sufficient to enable him to support his growing family in decent circumstances and if the expenditures of his family fall within the wages earned by him, he is independent and can begin to save and lay aside a foundation for a competence in the future. If, on the other hand, his income is not sufficient to sustain his family in decent circumstances, and if his necessary outgo equals his income or exceeds it, his prospects for the future are indeed unfortunate and worthy of serious consideration.

I shall, therefore, in this address endeavor to discuss with you the all-absorbing and important question of the increase in the cost of living.

Figures gathered by me within a recent period justify me in the statement that during the last twelve years, the cost of the necessaries of life, suitable to a decent, self-respecting American citizen, has increased about 50 per cent. Part of this increase in the cost of the necessaries of life—probably 50 per cent of it—can be fairly ascribed to the recent generous production of gold from the bowels of the earth. Gold is the standard of

money values in this and most other civilized countries. The remaining 50 per cent, however, can be ascribed in this country to another cause.

The high protective tariff, which has been in force during the last twenty years, is the main cause of at least 40 per cent of the increase in value of the necessities of life. A protective tariff, which imposes taxes varying from 20 per cent to 75 per cent on all the necessaries of life, must and does occasion a tremendous increase of cost for those necessaries to the workingmen of this country. The imposition of such onerous duties upon foreign made goods practically shuts off the manufactures of these necessaries in foreign countries from entering into competition with the producers of such necessities within the limits of the United States. No foreign manufacturer producing these necessities abroad can afford to pay the freightage upon such goods to this country and then in addition thereto pay this onerous imposition varying from 20 to 75 per cent, and successfully enter into competition with our domestic manufacturers.

Having destroyed foreign competition, the manufacturers of the necessities of life in this country years ago discovered that by combining the domestic manufacturers into great monopolies, now called "Trusts," they could succeed, in the absence of competition, in forcing up the prices of these necessities to the American consumer and that is what has actually taken place.

In the neighborhood of 300 great monopolies, capitalized for over $8,000,000,000, have been organized during the last sixteen years in the United States under the fostering protection of the high tariff laws. These monopolies, in every case, have increased the price of these necessities to the consumer to an outrageous degree.

The Chicago Inter-Ocean in its issue of July 29, 1912, published as a news item the following statement:

"Industrial combinations have kept on increasing in size and number until their total capitalization is more than $8,000,000,000.

"These industrial combinations, in the great majority of cases, have been formed primarily for the purpose of controlling or advancing prices to the consumer. The great enlargement in profits has, for the most part, been accomplished by price advances and not by cost curtailment."

The Inter-Ocean gives as authority for this statement Moody's Manual, a recognized financial monthly. Most of these monopolies are engaged in the manufacture of articles absolutely necessary to the American workingman to sustain himself and his family in decent comfort. Nor is this statement of the Inter-Ocean and Moody's Manual to be wondered at.

As long as human nature is selfish in its character, so long will human beings, in the possession of a monopoly, raise prices and increase their profits. If there were but one dry goods merchant in the city of Chicago, that merchant, being in the possession of a monopoly, would charge his own prices. If there were but one doctor, he would charge exorbitant fees. If there were but one lawyer, the same result would happen. Abolish competition and institute a private monopoly and the result is inevitable—an increase of cost to the consumer.

A private monopoly is intolerable and indefensible and becomes a menace to any community, and any law which encourages the development of private monopolies is inimical to the interests of the community. The protective tariff laws of this country have been justified by their sponsors solely upon one ground, and that ground is the protection of American labor. And yet recent investigation has established the fact that, in the most highly protected industries of this country, the wages paid to the operatives barely enable those operatives to sustain an existence. The textile industries of the United States are highly protected by our protective tariff laws and yet the report of the United States commissioner appointed to investigate into the condition of the Lawrence, Mass., textile works show that in that highly protected industry families of four have to live on $5 a week; that, when the mills run on full time, the average family wage is $8.06, but the periods of half time of employment frequently occur and materially reduce the average. Yet the textile industry is heavily protected by law. A recent congressional investigation of the condition of the steel workers, another highly protected industry, shows that the operatives in that industry are compelled to work seven days a week and twelve hours a day under conditions no better than prevail in European countries.

That the workingman is not receiving the benefit of the protective tariff laws, is shown by the vast accumulation of wealth in the hands of owners of these great industries while the workingmen are living upon wages that barely sustain life.

According to Congressman Copley, himself an extensive manufacturer, in an address delivered by him to the graduating class of Carroll University, Washington, June 28, 1911, "the absolute control of railroad, telegraph, telephone, iron and steel industries of the United States rests in the hands of five men who are the principal owners of the United States steel corporation."

Congressman Copley declares that these same men in addition control 70 per cent of the banking interests of New York and that practically every gas and electric lighting company in the country is dominated by them. Continuing further in his address he says,

"We are face to face with the greatest problem of our existence. The question is, Shall five men, who now dominate the United States steel corporation, rule the country by an oligrachy of wealth or shall the people govern for the benefit of all the people and give every man a square deal?"

Senator LaFollette in the United States Senate, within the last two years, made the statement, as the result of a thorough investigation, that 100 men whose names he gave were in absolute control of all the great industries of the United States. The recent congressional investigation, made concerning the money trusts of this country, discloses the further alarming and appalling fact that six men, being the men in control of the executive committee of the New York clearing house, could make or break any bank and, through the banks, any industry in the United States.

This accumulation of wealth under the protective tariff laws of this country in the hands of a few has produced within recent years some billionaires and a multitude of millionaires, while the files of our papers disclose from day to day that famished men and women are committing suicide in the streets of our great cities.

"Ill fares the land to hastening ills a prey,
Where wealth accumulates and men decay."

If the condition of the workingman, as to his income, is to be improved, the tariff upon the necessities of life in this country must be reduced speedily and effectually.

Up to this point, I have been discussing the high cost of the necessities of life. Let us now turn to the income of the workingman.

Federal statistics show that, during the same period, while the cost of the necessities of life has been increasing to the extent of 50 per cent more than what they were some ten or twelve years ago, the wage of the average workingman in the same period has not increased in proportion. Federal statistics show that the wage of the workingman during that same period of time has not increased to exceed 20 per cent.

It matters not what are the causes of the increase in the cost of the necessities of life—whether it be from excessive gold production or the protective tariff—if the condition of the workingman is to be maintained in this country, his income must keep pace with the increase in the cost of living, and any condition which permits increase in the cost of living to exceed the increase in the income of the workingman will result disastrously to the country.

A concrete example would probably illustrate this more forcefully. Assume the case of a workingman who earned $600 a year twelve years ago. Assume that this man supported himself and his

family upon $550, laying aside each year $50. If, now in twelve months, that man's income has increased 20 per cent, he would now be getting $720. If, however, the necessities of life for which he had paid $550 twelve months ago had increased in cost 50 per cent, it will cost him now to live $825, so that instead of saving $50 a year he is running behind at the rate of $105 per year.

This brings the workingman to a situation where he must deprive himself of some of the necessities of life in order to live, and a hungry belly is a dire portent in any country. Thomas Carlyle in his work on the French revolution declares that the real cause of that cataclysm was "a hungry belly." That critical situation must be avoided in any well governed country.

In such a situation the only protection that the workingman has is: first, in the organization; and, second, in an aroused public sentiment. Wherever the workingman has had an organization, it has been the invariable result that the conditions of the men belonging to these organizations have been improved and almost always their wages have been raised.

Who then will say the laboring men of America have not the right to organize themselves into unions for the betterment of themselves and for the enforcement of a living wage. The time has passed when organizations of this character are opposed to the law or condemned by public opinion. Such organizations, when wisely and judicially governed, are of much importance and benefit to the workingman. Public opinion in this advanced age recognizes that they are a necessity to modern progress and a material benefit to the working people.

The Congress of the United States has recently, I am pleased to say, recognized the right of organization, even among public employes, but such organizations should be conducted upon legitimate and orderly lines.

The second protection which the workingmen of this country have is that which arises from the public conscience, which, in a well ordered community, is always in favor of the maintenance of a decent wage.

The public in the 20th century will not tolerate conditions of employment which deny to human beings reasonable hours of rest and recreation and a reasonable wage. Many advanced communities are rapidly coming to the conclusion, as they have already in England, that a maximum number of hours and a minimum wage ought to be established in certain industries by law, particularly in case of women.

Another subject which much concerns the working people of this country is the character of the legislation with relation to certain occupational employments.

It has been found necessary in the interest of humanity, in certain trades and occupations, which may become detrimental to human life, to establish certain rules and regulations by law under which such occupations can be carried on. Thus we have in this State, and other states, many laws relating to the limitation of the hours of labor, the conditions under which work must be performed and relating to protection from dangerous machinery, all of which have been demanded by an aroused public sentiment. So, in recent years, it has been demanded by the public that the risks and dangers, necessarily incident to employment, should not in case of injury place the burdens of the catastrophe upon helpless widows and orphans, who are dependent on those who lose their lives in the great modern industries of the day.

I know of no character of laws which are more humane, more just and more earnestly demanded by the public than those laws which throw the burden, resulting from the loss of life or limb, upon the enterprises in which the workingman is engaged rather than upon his helpless wife and children.

It has been a blot upon our civilization within recent years that men of skill and caution have lost their lives or limbs and rendered their families destitute and helpless, throwing them in many cases out upon the world to drift into the poorhouse and, in many cases, into houses of prostitution and penitentiaries.

An employes' compensation act has recently been passed in this State to relieve this situation and to place the burden of these catastrophes upon the enterprises. Whether or not that law is adequate and effective for the purpose, is yet to be determined. If it is not and if it needs strengthening, it ought to be the duty of the State, having regard for the rights of both employers and employes, to strengthen and make that law effective for the humane purpose for which it is intended.

The aim and object of the legislation relating to workingmen and occupational employment should be to prevent in every possible way the loss of life and limb by enforcing provisions of protection against dangerous machinery; by limiting the hours of labor to such terms as will not weaken human endurance; by enforcement of hygienic and sanitary regulations and by other measures which will tend to lessen the liability of the occurrence of such catastrophes.

And when the law has gone as far as possible in that direction, it then should be the aim of the State, knowing that accidents will occur even in the most careful managed institutions, to place the burden of these catastrophes upon the enterprises rather than upon the helpless relatives of the dead or injured. That is the tendency of modern thought. That is the demand of the 20th century, and that should be the aim and object of all men elected to administer

the affairs of the State. The condition of labor must keep pace with the progress of the century. As the world is improving in art and in science, so it should improve in the passage of legislation which will protect and care for the men and women who labor in the march of industry.

SCORES ABUSES OF THE SHYLOCKS.

STATEMENT TO THE PUBLIC, AUGUST, 1912.

The money lenders of Chicago who loan money upon the security of a man's unearned wages have been guilty of more conscienceless acts of rapacity and brought more misery and desolation into happy homes than have the highwaymen who rob the wayfarer on the public streets. The highwayman takes only what the citizen has on his person; the salary loan shark plunders his victims week by week, and month by month, for years.

MESSAGE TO THE FORTY-EIGHTH ASSEMBLY.

Gentlemen of the Forty-eighth General Assembly:

The Constitution of the State wisely provides that the Governor shall, at the commencement of each session, and, at the close of his term of office, give to the General Assembly information by message of the condition of the State, and make such recommendations as he deems proper. In compliance with that provision Governor Deneen has submitted his message to you.

It also has become the custom for the incoming Governor to make an inaugural address, recommending such measures to the consideration of the General Assembly as he deems expedient and necessary. In pursuance of that custom, I respectfully submit the following:

AMENDMENTS TO THE CONSTITUTION.

The Constitution of this State should be amended in at least three essential particulars, and in at least three separate articles of the same to meet the demands of modern progress.

FIRST. INITIATIVE AND REFERENDUM.

Under Article IV, relating to the legislative department, as now phrased, the inherent right of all self-governing people to initiate and veto laws is not reserved to and by the people of Illinois.

For more than eight years, the people of this State, following precedents set by other republics and fourteen sister states of the American Union, have been insistently demanding the right to legislate directly for themselves by the initiative and the right to veto legislation, passed by the Legislature, contrary to the wishes of the people, by the referendum. Twice within the last eight years the people of Illinois, by overwhelming votes at the ballot box, in the ratio of about five to one, have manifested an urgent desire for this great reform. Their demand is insistent and just, and has been too long denied.

With the control given to the people over legislation, by the possession of the initiative and the referendum, corruption in the

Legislature would, practically, be eliminated and all laws, finally enacted either by the Legislature or by direct vote of the people, would truly express the will of the people.

This control of the law-making power by the people themselves can only be secured by amending Article IV of the Constitution, so as to give to the people the right, by popular petition, to originate legislation under the initiative, and to veto legislation by the referendum.

I would respectfully recommend, therefore, at this session of the Legislature, that the necessary legislative steps be taken to amend Article IV of the Constitution, so as to secure the right of direct legislation by the people themselves, upon a petition of eight per centum of the voters voting at the last general election; and to secure the right of veto in the people, by requiring submission to the people of any law or laws, passed by the Legislature, for their approval or disapproval, upon the filing of a petition of five per centum of the voters, voting at the last general election.

SECOND. ARTICLE IX RELATING TO REVENUE.

Article IX of the Constitution, relating to revenue and taxation, and Article XIV, relating to amendments to the Constitution, ought, also, be amended but we are unfortunately confronted with a constitutional impasse, which makes it impossible to provide for more than one of these three amendments to the Constitution at this session of the Legislature.

THIRD. ARTICLE XIV ON AMENDMENTS.

Article XIV of the Constitution, relating to amendments to the Constitution, declares that "The General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session."

This article, itself, should be amended. It is archaic, unreasonably restrictive, and oppressive. No valid reason exists why several articles of the Constitution should not be amended at the same session to meet the demands of modern conditions.

The unreasonably restrictive character of this article has occasioned, at times, a demand for a constitutional convention to revise the whole Constitution but that demand has not been so general or insistent as has been the demand for the amendment of the Constitution in certain well defined particulars.

There is a general and justifiable demand for an amendment to the Constitution, covering the initiative and referendum, for

broadening the amending clause of the Constitution, and for an amendment of that article of the Constitution relating to the revenue or taxing power of the Legislature.

FOURTH. AMEND ARTICLE IX.

Article IX of the Constitution, relating to taxation and revenue, requires every person and corporation to "Pay a tax in proportion to the value of his or her, or its property." This language prevents the Legislature from using any discrimination, of any character, between different classes and descriptions of property. All property, real and personal, tangible and intangible, must be assessed in the same category, and at the same ratio of value.

In theory, this was deemed fair and just by the framers of our Constitution. In practice, as the result of over forty years' experience in this and other civilized countries, it has been found impossible of accomplishment. A large portion of personal property, and substantially all personal property evidenced on paper, such as bonds, stocks, notes, etc., has escaped taxation and will continue to escape taxation until such property is placed in a special category and taxed in such a way as to secure for the State proper revenue therefrom.

Article IX of the Constitution, therefore, should be amended so as to give the Legislature and the people free rein in the way of taxing different classes of property, in different schedules, and by different methods.

AMEND ARTICLE IV.

While the Constitution should be amended, in all of the foregoing particulars, only one of these amendments, as I have pointed out, can be provided for at this session because of the limitations imposed by the Constitution itself. We must, therefore, elect now as to which of these different articles of the Constitution should be amended at this session of the Legislature.

In view of the insistent and repeated demands of the people at the polls for the initiative and referendum, I, therefore respectfully urge the Legislature at this session to take the necessary steps to procure the amendment of Article IV of the Constitution, so as to permit the crystallization into law of the initiative and referendum.

When this action is taken at this session it can be followed at the next following session of the Legislature by action providing for an amendment of that article of the Constitution, relat-

ing to amendments, so as to permit amendments to three, or even more, of the articles of the Constitution, at the same session, which will open the door for reform of the revenue laws thereafter, and any other changes in the Constitution demanded by the people.

In making this recommendation, I am not unmindful of the fact that the people of this State, under the Public Policy Act, voted in November, 1912, for submission at this session of the Legislature the question of amending Article IX of the Constitution, relating to revenue, by a vote of nearly three to one. I desire to call your attention, however, to the fact that very little publicity was given, during the campaign, to the circumstance that only one article of the Constitution could be amended at a single session, and that the amendment of the article relating to revenue, would necessarily, of itself, postpone the amendment of the Constitution covering the initiative and referendum to a subsequent session.

I call your attention to the further fact that in the same campaign, as conducted by myself, the initiative and referendum were urged as among the most vital and pressing issues of the campaign, and that my plurality, of approximately 125,000, was largely the result of the persistency with which I pledged myself in favor of the adoption of that great reform.

That many of the people, unenlightened as to the effect of their vote under the Constitution, were dubious on the matter, is shown by the fact that while on two other occasions they voted for prompt action on the initiative and referendum by a vote of about 5 to 1, the demand for revenue reform was voiced by a vote of only 3 to 1.

ABOLITION OF STATE BOARD OF EQUALIZATION.

Moreover, relief from some, and the most onerous, of the iniquities and inequalities of taxation is open to us without waiting for an amendment to the Constitution. For years past the great corporations of the State have been enjoying undue favoritism in the matter of taxation, owing to maladministration of the law by the State Board of Equalization. This body is charged by law with the duty of assessing fairly and justly the property of corporations. It has signally failed in its duty. The corporations have been unduly favored at the expense of the people.

Experience has shown that the State Board of Equalization is unscientifically constituted and unfairly administered. It is a departmental fiasco, and its work farcical. It is unwieldly in numbers, intermittent in its labors, and secretive in its methods.

It should be abolished. In its place should be created a tax court, or commission, composed of three or five members of approved intelligence and information, appointed by the Executive, with the approval of the Senate, for a term of years, that shall remain in continuous session the entire year and record its acts and findings from day to day. It should be given all the powers now committed to the State Board of Equalization, and, in addition thereto, should have general supervision of the administration of the assessment and tax laws of the State; invested with power to advise and instruct local assessors, prescribe forms for assessment returns and reports, require returns, schedules and other information, under oath, from individuals and corporations, appoint special assessors, expert examiners and accountants, direct reassessments in case of defective assessments, hear appeals and complaints, investigate on its own initiative the administration of all tax and revenue laws, examine into the tax methods of other states, and recommend to the Legislature any and all amendments to the revenue laws of the State, which would make for a fair and equitable distribution of the burdens of taxation between the people and corporations of the Commonwealth.

Such a compact body, clothed with such power, would be more efficient in action, more responsive to the public demand for equitable taxation, and more easily and directly held responsible for any errors and mistakes which might be made than is the cumbersome and constantly changing elective body now called the Board of Equalization.

I, therefore, respectfully recommend the passage, by the Legislature, of a law abolishing the State Board of Equalization, and creating a tax court, or commission, along the lines above indicated.

ELECTION OF UNITED STATES SENATORS.

Under the existing terms of the Constitution of the United States, United States Senators must be elected by the legislatures of the states. As the result of one hundred and twenty-six years of experience, it has been found that this method of electing United States Senators has resulted in scandalous corruption, and scandalous misrepresentation of the people in the upper chamber of Congress.

For many years past, in many of the states, the election of a United States Senators has been accompanied by chicanery, fraud, double-dealing and corruption. Many of the men, so chosen, have shown, by their votes and conduct, in what ought to be the most august and trusted body of the people's representatives,

that they represented, not the interests of the people, but the interests of plutocracy and organized greed. The Senate of the United States, in recent years, because of this condition of affairs, has, in a large degree, lost the confidence of the people.

United States Senators should be chosen in each of the states, as are its governors, its Congressmen and state officials, by popular vote. At least this is the demand of the people of this State. The Legislature of this State has gone on record to this effect in the years 1903, 1907 and 1909.

The Congress of the United States has yielded to the public demand for a change in the method of electing United States Senators. In May last it adopted a joint resolution providing for the amendment of the clause of the Constitution governing the election of Senators which, when it has been ratified by three-fourths of the states, as I believe it will be, will invest the people of each of the forty-eight states with power to choose their Senators at the ballot box. The ratification of this amendment by the State of Illinois will come before the General Assembly at this session. In view of the action taken by previous General Assemblies, I have no doubt that your concurrence is assured. Until such an amendment to the Constitution is passed, the advisory vote of the people at the polls should be binding on the conscience of every member of the Legislature.

PUBLIC UTILITIES.

The day of competition in the supply of gas, electric light and power, street railways, and some other public utilities, has passed. Monopoly in these matters has come to stay.

In these modern days no municipality can tolerate the tearing up of its streets, every few months or years, by rival water, gas, electric light, heating or telephone companies in the laying of pipes, wires and conduits.

Only one utility producing concern should be allowed that privilege for each utility in each city.

That concern must be either the municipal corporation itself or a private corporation.

The sole aim of a public corporation is to operate to the satisfaction of the community, which is always assured by giving the best service at the lowest rate.

The sole aim of all private corporations, unregulated by law, is to make money for their stockholders, and the most money can be made by poor service at a high rate to the consumer.

The only question, then, is whether the public shall own and operate through State or local agencies, or whether it shall allow these utilities to remain in the ownership and control of private corporations and regulate them by law.

MUNICIPAL OWNERSHIP.

After a careful investigation, through funds contributed by various vested interests, the Committee on Municipal v. Private Operation of Public Utilities, appointed, in 1906, by the National Civic Federation, reported nineteen to one:

"To protect the rights of the people, we recommend that the various states should give to their municipalities authority, upon popular vote, under reasonable regulations, to build and operate public utilities, or to build and lease the same, or to take over works already constructed. In no other way can the people be put upon a fair trading basis, and obtain from the individual companies such rights as they ought to have."

In other words, this commission, of which a majority at the start were strongly in sympathy with, or identified with private ownership, held the right of municipal ownership to be more important than any form of regulation.

While most cities of Illinois may not be ready, as yet, to undertake municipal operation of other than waterworks, legislation should be enacted immediately, giving all cities the right to build or buy, and to operate their utilities. For this purpose, cities should be empowered to issue bonds, subject to a referendum and such other reasonable safeguards as may be necessary. If such rights are given, it will force private corporations, now furnishing these utilities, to give decent service at decent rates, or face the alternative of public ownership.

STATE REGULATION.

Important as it is to give cities the right to manage their own public utilities, it is also important to give to State and local bodies large powers of regulation of the public utilities that remain in private hands.

These utilities may be broadly classed as "intra-urban" and "inter-urban." In other words, they are either local in character, confined to a city and its suburbs, or they run through country districts and connect one place with another.

In the latter class are included interurban electric railways, natural gas mains, electric transmission lines, and a considerable portion of the telephone systems of the State.

In the other class are included city gas, electric light and power, heating, and street railway companies, and such parts of the telephone system as are operated within cities by virtue of franchises granted by such cities. Waterworks in private hands, and, doubtless, some other public utilities, could be included in this class.

The interurban utilities can only be regulated by the State. For that purpose a well-equipped Public Utilities Commission should be created with large powers. It should control the issue of securities, the character of service, the rate of charge, etc. It should be appointed by the Executive with the approval of the Senate.

With respect to intra-urban, or strictly city utilities, it might be well, at the start, to give to the proposed State commission control of the city utilities when requested by any of the several cities of the State. The commission, however, should be empowered to secure uniformity of accounting and full publicity with respect even to the city utilities, and should be prepared to furnish this information in tabulated form in its annual reports, and in further detail to public officials.

The commission should also be equipped with funds and authority, so that it can employ and furnish competent expert help in cities seeking advice and assistance from this State commission.

When requested to do so by any municipality, the commission should also supervise the service of these city utilities.

It would also be well to give the State commission full control of all new issues of stocks, bonds and notes, and other evidences of indebtedness of all the public utilities of the State, including those within the cities. If this were done, the commission should be equipped with resources and power to make a physical valuation of such properties. No additional securities should be permitted to be issued save for additional physical property and legitimate brokerage. It should be distinctly provided that future issues of securities, when approved by the commission, should be clearly separated by serial numbers, or otherwise, from existing securities, to the end that purchasers might always know whether they were buying new securities. approved by the State, and issued for an increase of physical investment, or, whether they were buying securities issued prior to the enactment of the law, and that had not in any way passed under the scrutiny of the State.

LOCAL REGULATION.

In addition to a law conferring the right of municipal ownership, and another creating a State Utilities Commission, we need legislation conferring upon cities that choose to exercise it, the same rights of control over all their city utilities that they now possess with respect to water companies. Chicago secured such a right with respect to gas and electric companies about six years ago. A similar law, with perhaps some additional powers, should be passed for all cities.

After some experience with the legislation, recommended above, we shall be in better position to determine whether the powers of the State commission should be further increased. It is, of course, desirable, and in accordance with democratic policy, to confer as much home rule as possible upon cities, and to concentrate in State and national hands only such powers as are State or Nation-wide in their scope.

To Chicago and all cities over 100,000 population might be given the right, enjoyed by the city of St. Louis, of creating its own commission, which would report directly to the city council, and be given such powers and resources as may be conferred upon it by the city itself.

CORRUPT PRACTICES ACT.

For many years past elections in this State, particularly in our largest cities, have been signalized by the lavish use of money, both before and during primary elections, and before and during final elections. Hordes of hired men have surrounded polling places, intimidating, cajoling and often terrorizing voters. Candidates have concededly spent in election contests more than twice the salary they could collect during the whole term of their offices. Such a practice is scandalous, and, if further tolerated by law, will debar from political aspiration all but the rich and corrupt. These two classes (the rich and corrupt) combined form but a very small portion of the community, and to limit public office and honor to them is a violation of the spirit and genius of American institutions.

To reform these conditions I, therefore, recommend the passage of a Corrupt Practices Act, which will limit, within reasonable restrictions, the expenditure of money during a political campaign, and compel the publication of all amounts collected and expended both before and after election.

CIVIL SERVICE.

Civil service is no longer an untried principle. Honestly and fairly administered, it makes for better and more efficient public service, and the people have shown by their votes that they are in favor of it.

The various institutions and offices of the State should be maintained at the highest possible point of efficiency, and an honestly enforced Civil Service Law will do much to secure that result.

I respectfully urge that your honorable body give careful consideration to all measures relative to civil service, its extension to positions, which should be included within its scope, and other amendments which might make for the better operation or enforcement of the law.

PARK CONSOLIDATION.

In the city of Chicago there exists three quasi-municipal bodies known as park commissions of the city of Chicago, to-wit:

The Board of South Park Commissioners.

The Board of West Park Commissioners.

The Board of Lincoln Park Commissioners.

All of these quasi-municipal bodies are conducted as wholly separate institutions, with different offices, with different executives, different police forces, and under different management.

There is no good reason why all of these parks should not be placed under one general management. In my judgment, it would result in better service at a reduced cost; and I, therefore, respectfully recommend legislation providing for a consolidation of the three park systems of the city of Chicago.

SHORTER BALLOT.

Some effort should be made to shorten the ballot of the elector.

It has become so cumbrous, and heavily loaded, with names of candidates, particularly in large cities, that even the most enlightened citizen is incapable of exercising an intelligent selection in the choice of some candidates.

This condition exists both at primary and final elections. It is worse at primary elections because there is, under the present condition of the law, no limitation as to the number of candidates for nomination.

This shortening of the ballot at primary elections might be attained by increasing the percentage of electors necessary to sign

the petition for nomination, or by requiring a decent percentage of the electors, signing the petition, to appear in person before the city or county clerk; swear to the facts contained in the petition, and identify their signatures before that official. A reasonable registration or filing fee should also be required upon the filing of every petition.

At final elections, the only way of shortening the ballot is to cut down the number of elective officers.

This can safely be done in many cases. Many public corporate bodies are now too large and unwieldly, and the individual members, by reason thereof, are less individually responsible to the people.

I respectfully intrust to your favorable consideration the subject matter of shortening the ballots to be voted upon by the people, both at primary and final elections.

All judicial officers should be voted for at a time when no State, county, city or village officers are being elected. This, in itself, would shorten the ballot as voted under present conditions.

ROTATION OF NAMES ON BALLOTS.

One of the gravest defects of our existing Election Law is that which gives the first place upon the ballot to the person who succeeds in having the official, with whom the petition is filed, stamp it as being the first filed, and which places the other petitioners' names upon the ballot in the order of filing, as determined by such official. Such is the effect of the existing law. The first place on the ballot is of enormous advantage, and should not depend upon the mere order of filing. No candidate should be permitted this undue advantage. If in no other way, this objection to the existing Election Law can be avoided by amending the law, so as to require rotation of the names of the candidates in the printing of the ballots.

I suggest that a special committee be appointed by each House to consider and determine upon some equitable plan for the rotation of the names of candidates upon the ballot.

THE BREAKING OF PLEDGES BY PUBLIC OFFICIALS.

In the political history of the country, it has happened that candidates for public offices during campaigns have given written pledges to their constituents with reference to their position, if elected, upon public questions of great interest to such constituents; and, after election, have violated pledges when in public office.

Such conduct appears to me to be obtaining votes under false pretenses, and obtaining votes by false pretenses is, to my mind, as great a moral crime as obtaining property by false pretenses. Why not make it a legal crime? I respectfully recommend the enactment of a law making the breaking of a written political pledge by a public official a felony punishable by imprisonment in the penitentiary.

PAY OF EMPLOYES.

Many employes in the State are paid their wages monthly. The custom has, unfortunately, developed a money loaning business, which is tainted by usury, and attended with many hardships. I, therefore, recommend the passage of a law requiring all employers to pay their employes as often as every two weeks.

AMEND 2-CENT CAR FARE LAW.

Owing to an oversight of the Legislature in drafting the 2-cent fare act, children, under 12 years of age, not purchasing tickets at depots, are now charged three times the fare they would pay if they purchased tickets at the depot, while an adult is penalized to the extent of only 50 per cent of his fare.

I recommend that the law be amended so as to provide that a child should not be penalized more heavily than an adult.

PUBLIC EXPENDITURES.

I recommend the appointment of a joint committee of both houses of the Legislature to examine into the condition of the public institutions of the State, and to confer with the State Board of Administration to ascertain if it is not possible to reduce the expenditures of the same without impairing the efficiency of these institutions.

EPILEPTIC COLONY.

Public officials, and many philanthropic citizens in private life, have called my attention to the fact that in the State of Illinois there are a large number of men, women and children afflicted with epilepsy to such a degree as to render them incapable of pursuing the gainful occupations of life yet who are otherwise mentally and physically in sound health. They number, it is estimated, about 10,000.

At least 2,500 of these, it is claimed, are, at the present time, without means of livelihood, without friends or relatives, who are

able to support them, and, by reason of their helplessness, are drifting into crime and abject poverty.

It is contended that such unfortunates should be cared for by the State, instead of placing them in county institutions; that if they were cared for in some open colony with healthful surroundings, where they could receive skilled medical and surgical care, many of them would respond to such treatment. improve in health and become useful members of society. Much as I am disinclined to recommend any measure, which will increase the outlay of expenditure of the State, I am forced to conclude that the care of such unfortunates is a legitimate and necessary duty of the State in the exercise of common humanity. Other states have awakened to the wisdom of providing for these unfortunates in this manner, among them Indiana, Kansas, Michigan, Missouri, Ohio, Pennsylvania, Texas and New York. This State cannot afford to lag behind these other great jurisdictions in this particular. I, therefore, respectfully recommend that the Colony for Epileptics be created, and that appropriation be made sufficient to buy a tract of land of about 2,000 acres, and that the erection of buildings thereon be commenced at the earliest possible date.

CONVICT LABOR.

Provision, also, should be made for the employment of the inmates of our penitentiaries in road work. Primarily, convicts should be used for the preparation of material, either at the penitentiaries. or at camps, established near natural deposits of stone, gravel or other material. In the actual construction of highways when it becomes necessary, short term prisoners should be employed on an honor system, such as prevails in Colorado. Humanitarian reasons underlie the employment of convicts in the open air work of this sort. The problem of what is going to become of the paroled or discharged convict is largely solved if he is released, healthy in body and mind, and not debased by associations formed in the debilitating environments of cells and prison workshops.

Psychological and physiological considerations enter into the employment of men, on an honor system in the fresh air and sunshine, wherein and whereby they are restored to society with their manhood quickened, instead of deadened, or destroyed.

IMPROVEMENT ON HIGHWAYS.

A matter touching vitally the agricultural, commercial, educational, social, religious and economic welfare of Illinois, and in-

volving the conservation of natural resources, is the question of good roads. In the improvement of public highways, Illinois has been backward.

Reports of the Federal Department of Agriculture show that about 10 per cent of the 95,000 miles of Illinois roads are improved in a permanent manner, as against 38 per cent in the neighboring state of Indiana, 20 per cent in Wisconsin, 20 per cent in Kentucky, 28 per cent in Ohio and 50 per cent in Massachusetts. Considered from the standpoint of improved roads, Illinois is the twenty-fourth in the list of states.

The loss to farmers, because of inaccessibile primary markets, and the abnormal expense of transportation due to bad roads, must be considered as a contributing cause of the high cost of living. In some Illinois counties, highways are impassable to ordinary loads for a full third part of the year. Bad roads not only hinder crop production and marketing, but they keep the rural consumer away from the store of the merchant for weeks at a time. They keep pupils from the schools, and voters from political gatherings, and from participation in elections. They impair the efficiency of churches, and social, fraternal and other organizations, which depend largely on public gatherings for the efficacy of their work.

Bad roads contribute to the unattractiveness, the isolation and the monotony of country life that are responsible for the desertion of rural pursuits, especially by the young. Experts in mental ailments agree that women in remote sections are the chief sufferers from the restriction of communication and social intercourse, which bad roads impose.

Highway conditions in Illinois are due to the fact that progress in methods of transportation and travel has not been met with corresponding changes in our system of road building and maintenance. Illinois clings to the obsolete practice of placing the burden of highway improvement on the townships. Other states, in their laws, have appreciated that highway travel is no longer entirely local and that the main arteries carry a great amount of inter-county and inter-state traffic. Permanent improvement of the main arteries, which carry the great bulk of traffic, is a problem which affects the general welfare, and these states have established, successfully, systems of state aid on such highways.

I recommend for your consideration legislation which will promote the efficiency and economy of the administration of the road system of the State. This legislation, I believe, should incorporate provisions for State cooperation with counties and townships in the construction of main highways and bridges; and

the proper maintenance of all roads after they are built; for the compulsory dragging of all dirt roads, and for the use of the State automobile tax as a nucleus of a fund for such State aid.

CHICAGO'S CRIPPLED FINANCES.

My attention has been called by the mayor and corporate authorities of the city of Chicago to the fact that, under a recent decision of the Supreme Court of this State, construing the so-called Juul Law, the city of Chicago is now so seriously crippled, financially, as to be unable to carry on successfully its ordinary corporate functions. Other cities of the State may soon find themselves in like condition.

I, therefore, respectfully suggest that the corporate authorities of the different cities of the State be given an immediate hearing, and that such amendatory legislation may be enacted as will conserve and protect the corporate functions of the cities of the State.

AMEND THE JUVENILE COURT ACT.

Under the existing Juvenile Court Law, a dependent can be taken from the care and custody of its parents and deposited beyond the jurisdiction of the court and without the courts of the State—even beyond the seas.

I respectfully recommend that it be so amended as to prevent such children being taken without the jurisdiction of the court.

AMENDMENT OF THE JURY LAW IN CIVIL CASES.

I became convinced, from my experience on the bench, some years ago, that quite frequently there was a miscarriage of justice in civil law suits, resulting from disagreements of juries, procured by corrupt methods.

In nearly all of such cases the disagreements arose by reason of one or two men refusing to agree with their fellow jurors upon verdicts, which, to the ordinary person hearing the evidence, would seem manifestly fair and just. Cases occurred in which two jurors, evidently in anticipation of a protracted disagreement, had prepared themselves for the expected developments, and fortified themselves with sandwiches, which, when hunger pressed them, they produced and consumed without dividing with the honest and unprepared members of the jury.

In view of these experiences, I would respectfully suggest that the laws of the State, relating to the trial of civil cases in the courts, be amended so as to permit the court to accept a

verdict signed by eleven jurors after twelve hours' deliberation, and by ten jurors after twenty-four hours' deliberation. Such time for deliberation would give ample opportunity to an honest minority of one or two men to fully present their views to their fellow jurors, and convince them, if they, the minority, were in the right; and yet would prevent a miscarriage of justice, if they were in the wrong, and actuated by corrupt motives. I am of the opinion, however, that in all criminal cases, involving the life or liberty of a citizen, that a unanimous verdict should still be required.

LAST DAY OF LEGISLATIVE SESSION.

I have been informed by members of the Legislature, of much experience, that on the last day, or rather night, of the session, bills are read and voted upon in the midst of so much confusion and turmoil that it is often impossible for the most vigilant member to know what measure is being voted upon and how the vote is being recorded.

On the assumption that such is the fact, I would respectfully suggest that the last day of all sessions, by statute, be set aside for the purpose of verifying all roll calls of the day preceding and for the transaction of no other business.

The people have imposed upon the General Assembly and the Executive a solemn responsibility in the discharge of which, I trust, there will be friendly cooperation and sympathetic understanding. Let us, therefore, strive earnestly, untiringly, to redeem the pledges we have given; and the people's faith in our sincerity will be our reward.

URGES ELECTION OF LEWIS AND SHERMAN AS SENATORS.

STATEMENT TO THE PUBLIC, FEBRUARY, 1913.

The time has come in the struggle for the election of United States Senators when a plain, frank statement is due to the members of the Legislature and the people of the State.

At the advisory election, held April 9, 1912, Col. James Hamilton Lewis received 228,872 votes and became the choice of the Democratic party for United States Senator. At the same election Hon. Lawrence Y. Sherman received 178,083 votes and was selected by a large plurality of his party as the Republican candidate for the same office.

Since this primary election was held, the United States Senate has declared that the position held by United States Senator Albert J. Hopkins has never been filled, thus leaving to the Legislature, under the Constitution and laws, the duty of selecting two United States Senators, one to succeed Hon. Albert J. Hopkins and the other to succeed Hon. Shelby M. Cullom, the present United States Senator.

At the election held November 5, 1912, the Democratic ticket prevailed in Illinois by a very large plurality, the candidates on that ticket being elected by pluralities ranging from 80,000 to 125,000 approximately.

At the same election State Senators and Representatives were voted for and elected, resulting in the Senate being composed at the present time of 24 Democrats, 24 Republicans and 2 Progressives; and the House of Representatives being composed of 50 Republicans, 73 Democrats, 25 Progressives and 4 Socialists.

The failure of the Democratic party to elect a majority of the members of the General Assembly resulted largely from the inequitable apportionment made by a Republican Legislature about ten years ago.

This unfortunate situation, under which no party controls either House on joint ballot, has resulted in delaying the inauguration of the State officials for three weeks and has prevented up to the present time the election of the United States Senators, placing this State in the unfortunate position of being unrepresented in the United States Senate after March 4, 1913, unless an arrangement

of some kind is made between two or more of the parties represented in the Legislature.

In this peculiarly annoying situation, the air is full of intrigues and combinations, which may end eventually in a scandal and the humiliation of the citizens of Illinois.

In this crisis, I believe it my duty to appeal to the members of the Legislature and the public at large, for an open and aboveboard arrangement between the discordant elements of the Legislature, which, in my judgment, will commend itself to the patriotic, law-abiding and law-respecting citizens of the State and preclude the possibility of any intrigue or scandal which might bring the fair name of the State into disrepute among the states of the Union.

In view of the fact that no political party has sufficient votes in the Legislature to secure the election of even one United States Senator, and the further fact that it is absolutely necessary that this deadlock should be broken in a way creditable to the members of the Legislature and the State of Illinois, in order that public business may proceed, I would respectfully suggest to the members of the Legislature and the people of the State that it would be wise, prudent and patriotic for all members of the Legislature who believe in the right of the people to advise their representatives by primary vote, to meet, irrespective of party, in conference and agree upon the two men who have received these large advisory votes of confidence from the people, to-wit: Col. Jas. Hamilton Lewis and Hon. Lawrence Y. Sherman, selecting Col. Lewis for the long term and Mr. Sherman for the short term.

The selection of Col. Lewis for the long term, I believe to be the duty of the members of the Legislature in view of the fact: first, that he received a much larger popular vote than Mr. Sherman; second, because the Democratic membership of the General Assembly is much larger than the Republican membership; and, third, because the Democratic party carried the State by a great plurality at the last election.

In this great crisis, I believe that the welfare of the commonwealth demands that the members of the Legislature subordinate partisanship to patriotism, that they lay aside their bickerings and select as United States Senators, the men chosen by the people of the State for these offices and proceed with their duties as legislators in enacting into law the measures, the advocacy of which brought success to the Democratic ticket last November.

As a Democrat, I would much prefer, were it possible without discreditable bargaining and intrigue, to secure the selection of two Democratic United States Senators, committed to the support of the policies of President-elect Wilson. This much desired solution of the present difficulty being now to my mind impossible of

accomplishment, I now advise, after due deliberation, that the settlement of the senatorial struggle above suggested is the duty of the hour and the only safe, sane and honorable solution of the present perplexing situation. Moreover, it is a solution that I believe will meet with the approval of the citizenship of the State, irrespective of party.

ON THE DEDICATION OF LINCOLN HALL.

ADDRESS AT UNIVERSITY OF ILLINOIS, FEBRUARY 12, 1913.

Mr. Chairman, Ladies and Gentlemen:

I deem myself peculiarly fortunate in being called upon as Governor of this State, at the beginning of my term of office, to participate in the ceremonies of this occasion.

We are here today to announce officially the consummation of a great educational edifice and to turn it over to the University of Illinois. The ceremony signalizes a great advance in the higher educational work of this great university, of which we Illinoisans are so justly proud, and at the same time affords us an opportunity of unveiling—figuratively speaking—another great monument to the first citizen of Illinois, and the greatest philanthropist of his age and Nation.

Like that other great statesman, Thomas Jefferson, who was instrumental in founding the University of Virginia, Abraham Lincoln, the great emancipator, was largely instrumental in laying the foundation stones of the University of Illinois.

The same hand that signed the Emancipation Proclamation signed the Federal land grant act of 1862, which gave birth to this great university. What so appropriate then as that a hall dedicated to the study of the humanities of this university should be called "Lincoln Hall?" What day so appropriate to christen this hall and turn it over to the university as the day that is set apart by law to commemorate the name and fame of Abraham Lincoln, the best beloved of all the illustrious men given to the Nation by our glorious State. Illinois may well be proud of the galaxy of illustrious names which she has emblazoned on the pages of American history.

Statesmen like Douglas, Trumbull, Oglesby, Yates and Altgeld; soldiers like Grant, Sheridan, Logan and Shields; jurists like Davis, Breese and McAlister have stamped the name of Illinois in golden letters on the pages of American history. But great as are all these names and deeply as they have left their impress upon American history, the name of Abraham Lincoln towers among them as that of Illinois' greatest son. Among the illustrious men who have been called to the highest position of honor in the Nation,

there are four who, aside from their exalted office, have gone down and will go down in American history as colossal figures. Washington, the ideal patriot; Jefferson, the ideal statesman; Jackson, the ideal fighter; and Lincoln, the ideal humanitarian.

Let us, then, joyfully and proudly, do honor today to the last of these great men whom Illinois proudly boasts she gave to the world and this Nation, by naming this splendid building "Lincoln Hall."

As Governor of this State, it is my proud privilege, in behalf of the State, to turn over the building, now so named, to the president and trustees of the University of Illinois, for the purpose of enabling it and them further to advance the cause of the higher education which was so near and dear to the heart of Abraham Lincoln.

A WASHINGTON REINCARNATED.

ADDRESS TO CREVE COEUR CLUB, PEORIA, FEBRUARY 22, 1913.

Mr. Toastmaster and Gentlemen:

It is customary upon anniversaries like this, in discussing the name and fame of an illustrious man, whose memory we gather to honor, to attempt to reincarnate the dead, place him in the living present, surrounded by the living questions of the day, and decide to our own satisfaction what course he would pursue in relation thereto.

Ten days ago I listened with intense interest to the eloquent speech of ex-Senator Bailey, in which he pictured the reincarnated Abraham Lincoln of 1913, and I was astonished to learn that if Lincoln were in the flesh today, he would have been a stalwart upholder of the Constitution of our forefathers adopted in 1787.

Now, my friends, we know that, under that same old Constitution of our forefathers, human slavery was tolerated and for three-quarters of a century practiced. Bailey's reincarnated Lincoln would have vigorously opposed most of the measures of the new-born Progressive party, including equal suffrage.

To my amazement I read next day that Theodore Roosevelt had reincarnated the same Lincoln on the same night down East somewhere and made that reincarnated Lincoln declare for practically all of the National Progressive platform, including woman suffrage. Such glaring contradictions clearly prove that Colonel Bryan was right when he said, what a man or principle is, depends upon the point of view from which it is inspected. I do not propose to attempt to reincarnate George Washington on this day, justly dedicated to his memory, because, if I did, you would see him viewed through my glasses, which might or might not aid your vision.

I will content myself with calling attention to the fact that there is one thing that all historians agree upon in discussing the character of Washington.

They all agree that he was a plain, blunt, vigorous speaking soldier, who said what he meant, and who meant what he said. He never ostensibly advocated a measure that he in reality opposed, or opposed a measure which he really favored. He never chased the Devil around the stump. He never became a member of the

society of the "double cross." He knew nothing about the gentle art of muddying the waters. He never studied the habits of the cuttle-fish, and so never adopted its methods in the politics of his day.

In the politics of the twentieth century, Washington, if reincarnated, would be vulgarly termed a "back number" or a "jay."

He would have been, on such questions as the initiative and referendum or the abolition of the State Board of Equalization, either in favor of them or against them. He would not, if squarely faced with the issues, have been adroit enough to answer, "I am a tax reformer or an advocate of a new Constitution." That, however, is the style of politics which prevails today. When a man tries to kill a project that he dares not openly oppose, he advocates some other harmless project as of paramount importance, in the effort to sidetrack the other measure. He muddies the water, and tries to muddle the voter.

This is exactly what is being done in Illinois today. On two separate occasions, eight years ago, and two years ago, the people of this State voiced their demand at the ballot box for the initiative and referendum by a vote of about five to one.

A Governor, who made that the main issue of his campaign, has been placed in office by a plurality of about 125,000. In his inaugural message, he requested the passage of a constitutional amendment which will enable the Legislature to place the initiative and referendum upon the statute book of the State.

In this juncture, although 746,521 voters of the State voted for the two candidates for Governor who were solemnly pledged by their respective platforms to this great reform as against 318,469 voters for the candidate for Governor who straddled the question, although the Senate has heretofore voted unanimously for this measure, and although 98 out of 145 of the members of the lower House were elected on platforms pledging them to the measure, certain men, papers and organizations in this State hypocritically raised the cry of reform of taxation or revision of the Constitution. Not until the fruition of an insistent demand of the people for this reform was imminent in the last Legislature was this false and pharisaical cry raised by these men, organizations and papers. Now that the present administration, and honorable pledge-keeping men in the Legislature are endeavoring to keep faith with the people and amend the Constitution so as to secure the initiative and referendum, these hypocritical men, organizations and newspapers again lift their pharisaical voices in the demand for revenue reform and a new Constitution.

It is anything to beat the initiative and referendum; muddy the political waters; drag a red herring across the trail; yell fire, and pick the pockets of the crowds during the crush which follows.

These are now the tactics of those who would beat the initiative and referendum.

They know that, under the Constitution, only one amendment can be provided for at the present session. "Any old Morgan amendment" will do in preference to the initiative and referendum amendment; so they yell for a tax reform amendment. We need such an amendment. So did the swimmer whose clothes were stolen need a necktie. But he needed much more a pair of trousers. The people need the initiative and referendum, much more than they need the tax reform. Nine-tenths of the evils we suffer from in our tax laws can be cured without a constitutional amendment.

Abolish the State Board of Equalization, and create an efficient tax commission or court that will honestly, impartially and vigorously enforce the levy of equitable taxation. Under our present Constitution, I believe we can collect sufficient additional income from the tax dodgers to adequately carry on all the functions of government without adding any additional burdens upon the poor and middle classes of the State.

A member of the Cook County Board of Review of Chicago, recently made the statement that there were over 1,000,000 tax dodgers in Cook County. He ought to know; for he has been in a position for many years past where he came in personal contact with most of them.

The existence of tax dodgers elsewhere throughout the State, if not to as great an extent, at least to some extent, cannot be questioned. Under the present laws and the Constitution, however, much of this could be eliminated by a scientific, equitable and vigorous enforcement of the present laws.

UPON THE ELECTION OF UNITED STATES SENATORS LEWIS AND SHERMAN.

ADDRESS TO GENERAL ASSEMBLY, MARCH 26, 1913.

Gentlemen of the Senate and of the House of Representatives:

I recognize that, hidden under the keen humor of Senator Sherman, there was a great deal of truth expressed in the last two sentences that he uttered. I recognize that you are both hungry and thirsty, and that you are tired, as the result of the tremendous strain under which you have labored for the last two months, and particularly today, and recognizing that he told, in his humorous and witty way, the truth, I am going to keep you here but a few seconds.

I simply want to say, my friends, and I call you my friends, because your conduct shows, today, that you are acting in the interests of the people of this State, and the man who acts patriotically in the interests of the people of this State, I do not care whether he calls himself a Democrat or Republican, a Progressive, or a Socialist, is my friend (applause), that I believe you have acted patriotically and consistently, and prudently and wisely, in doing the thing that you have done today.

We all have studied arithmetic, and we all know and have known, since we left school, that 97 votes do not make a majority, and that a party that has only 97 votes, and that lacks 6 or 7 votes of a majority, cannot elect a Senator to the United States Senate, without receiving votes from some other party, and therefore I thought, three weeks ago, after I had spent three weeks here in the vain and fruitless effort to secure two United States Senators of the Democratic party from this State (and I think I am as intensely Democratic as any member in this Assembly) I reached the conclusion, that we were trying to do the impossible thing, and that it would be fair and just to present some sort of a proposition to the membership of this Joint Assembly, and to the whole people of this State, that would meet with popular approval because it was just and fair and reasonable, under the circumstances; and therefore, not only as a Democrat but as a citizen, and as the executive of this State, I thought it wise to take the people of this State into our confidence, gentlemen, and to

propose a solution of this situation that was sane and just, and prudent, and I congratulate you that after reflection—I congratulate you, my Republican friends—after three weeks' reflection; and I congratulate my Democratic friends, that after reflection of three weeks, they have seen that this is the wise and the prudent thing to do; and I think that I can safely predict that over ninety-five per cent of the people of this State, no matter what their politieal affiliations may be, will approve the settlement you have reached, upon honorable terms, this day, without dicker and without trade, openly and above board, honorably and decently.

I congratulate you upon the result, my friends, of the breaking of this agonizing and unfortunate deadlock, that was delaying the legislation demanded by the people of this State; and now that it is dissolved, let us get to work, my friends, no matter what party you belong to, and put upon the statute books of this State the laws that the people demand.

MAKING TWO BUSHELS GROW WHERE ONE GREW BEFORE.

ADDRESS TO FARMER BOYS, MARCH, 1913.

My Young Farmer Friends:

I have never had the honor of addressing a strictly agricultural meeting, and I consider it a high privilege to be here today, among men and boys engaged in so useful an enterprise as modern, efficient and scientific farming. I want to become better acquainted with you and your interests. I am informed that the members of the Top Notch Farmers' Club have produced one hundred or more bushels of corn to an acre and that some of you have raised as high as one hundred and eighty bushels to the acre. This is an achievement of which any man, no matter how high his position in life, could be proud; for the man who makes two blades of grass grow where only one grew before, is greater than he who conquers an empire.

What shall we say then of the boy or the man who makes three blades grow where only one grew?

In 1912, in this central Illinois, the famous cornbelt of the world, the average yield of corn was only thirty-nine bushels to the acre, for the 3,099,754 acres planted. The average price of this corn on December 1, 1912, was 39 cents per bushel, making the total value of the crop $47,362,474. The estimated cost of this crop was $28,574,482, leaving of a profit to the growers of $18,832,806.

Here in your own county of Sangamon, you planted 100,000 acres of corn and harvested 3,400,000 bushels, an average of only thirty-four bushels to the acre. The farmer boy who raised 100 bushels to the acre, therefore, made three blades grow where only one grew. He increased the money value of his crop from $13.26 to $39.00 per acre. Had the average yield in this cornbelt been 100 bushels to the acre, and the December 1 price the same, the total yield would have been 309,957,400 bushels, worth $121,000,000, against 121,000,000 bushels worth $47,000,000.

We have here only the dollars and cents result of making two or three blades grow where one grew. There are possibilities in other directions equally as great. Such luxuriance of nature means greater beauty, sweeter home environment, reduction of the sum of poverty, the elevation of the individual standard of life, the better-

ment of community existence and ideal, turning of the tide now cityward back to the country.

In good agriculture—I will not say scientific agriculture—the farmer of today contends with less competition than confronts any other business.

Here sit about me some fifty young men who have raised each 100 or more bushels of corn to an acre, representing fifty acres out of 100,000 acres in Sangamon County, producing 100 bushels each. Is there any reason why the other 99,950 acres cannot do as well on an average? Is there any reason why they should not? Is not the country and the world calling for more bread, more meat, more of all products that come from the farm?

The call of today is the call of the city. Our young people are flocking in armies to the cities and towns to congest the already congested streams of professional, industrial and mercantile life. They are, by their competition, cutting down average earnings and lessening opportunity. The problem of the period, reduced to its elements, is the young man and the young woman stranger in our cities. Life is harder, life is more severe, life is more uncertain, life is more unwholesome and impure in these centers of population, because they cannot receive and assimilate the onrushing flood of youth who are pouring from their natural environment into an unnatural environment.

Meanwhile in the country lies neglected opportunity. The appeal of the country is drowned in the mad call of the city and no ear heeds it. Allurement of promised fortunes in the city blind the eye to the gold glittering in every ear of corn. The smoke, grime, dirt, heat and sweat of toil of the city seem to fascinate and draw with irresistible power our youth from the sweetness and wholesomeness, the comforts and the joys of life in the free, open air, for a full breath of which there is no greater elixir.

The young man who neglects so great an opportunity as country life presents today—the young man who turns his back upon the farm to face the terrific battle of city life, little realizes his mistake; it is almost a crime of self obliteration. The lad who sticks by the farm home, each year finds his task easier, his opportunities wider and his way to fortune less crowded and less obstructed by competitors.

Good agriculture means a highly profitable business. It means likewise that an education in a science can be obtained without loss or expenditure of time and money. Each lesson becomes available at once and turns up from the soil its harvest of dollars.

One may not become an engineer by digging in the ditch, nor an astronomer by peering at the stars, nor a physician by reading materia medica. But for the farmer to become an expert farmer, a

scientific farmer, if he will, the way is comparatively easy. He develops as he lives and works, adding daily to his knowledge and his facilities. We have our colleges of agriculture with their laboratories and experimental farms. It is characteristic of these institutions and of this science that the results of their experiments can be stated in simple, plain terms, understandable by all. The boy bred to the land may understand many of these truths and put them to practical use while in his teens. All that these institutions learn by research and experimentation is at once set down in simple English and distributed throughout the land. Through agricultural publications, popular magazines and daily newspapers this information is spread over wide areas and any tiller of the soil may avail himself of it almost without cost. He can use it and profit by it if he will. It is through such means that you have learned how to raise one hundred bushels of corn to the acre. Every other land owner or tenant enjoys the same opportunity to learn and to produce.

So I say agricultural life presents an opportunity for clean existence, for a livelihood and decent fortune, without destructive competition. It presents untold possibilities in monetary rewards. It offers a training and education. You enjoy in your rural homes more of our modern comforts and conveniences, such as the telephone, interurban cars, free delivery of mail, electric light, hot and cold water, sewerage systems, than the city population, in proportion to its numbers, enjoys. In short agriculture is, today, of all occupations, an occupation of respectability, of opportunity, of the gentleman and the scholar.

COMMUNICATION ON "FISH AND GAME."

MESSAGE TO FORTY-EIGHTH GENERAL ASSEMBLY, APRIL 23, 1913.

Gentlemen of the Forty-eighth General Assembly:

An investigation of the Fish and Game Departments of the State Government, made at my direction by the State Civil Service Commission, has shown a condition to exist of waste and extravagance in the expenditure of public money, coupled with almost utter failure properly to enforce the Fish and Game Laws and a serious neglect to conserve great natural resources of the State.

The extent of the public wealth in the Illinois River fishing grounds is not generally known. It is estimated that the value of fish yielded by the river, which, in 1908, according to census reports, was $900,000.00, has increased to more than $1,500,000.00 annually. The value of the game which the State laws seek to protect is also great, though incomparable with the fish product commercially. In the great fishing grounds of the Illinois the State has a natural resource which will increase in value tremendously as food prices become higher and which should be conserved by wise laws firmly and impartially enforced. Our present laws are not enforced. Owing to this, the destruction of commercial fish has reached a scale that is alarming. Unless it is permanently checked the Illinois River will eventually cease to be a great natural asset. There is also need of some intelligent effort directed by scientific minds to provide spawning grounds and fish hatcheries which will insure the continuance of the fish supply, and this need the present system makes no attempt to meet.

Immediate and radical action is required to reorganize both the Fish and the Game Departments on a basis which will insure enforcement of the laws and protection of our valuable game and fish. In my judgment this can best be accomplished by the consolidation of the two departments and the creation of a Game and Fish Conservation Commission, with authority to appoint wardens who shall have jurisdiction in the enforcement of all laws relating to both subjects. In practically every other state of the Union such consolidation was long ago effected and it is my opinion that the same consolidation should take place here.

Not only will such consolidation effect a substantial saving in money but by reorganizing the system of wardens and deputy wardens, by disposing of the expensive and impractical fish boat, the Steamer Illinois, and substituting inexpensive and useful launch patrols, and by abolishing the game farm at Auburn or conducting it in an economical manner for the propagation of game birds which may add to the natural wealth of the State, the money which is expended can be made to accomplish a great amount of real good where now it accomplishes little or nothing.

As organized at present, the Game Department consists of a game commissioner, who is paid $4,700.00 a year, including all of his various salaries and allowances; sixteen district game wardens, who are paid $75.00 a month and expenses; 100 deputy wardens, who are paid $2.00 a day and expenses, and special deputy game wardens without compensation except for a share in fines which they may have imposed. I am reliably informed there are in the neighborhood of 500 of these special deputies in Cook County alone.

The Fish Department consists of a commissioner and chief warden, who is paid $175.00 a month and expenses in this dual capacity; two commissioners, who are paid $100.00 a month and expenses; seven district fish wardens, who are paid $75.00 a month and expenses, and forty-five deputy fish wardens, who are paid $2.00 a day and expenses.

In the report of the Civil Service Commission, facts are cited which raise grave doubt as to whether the employes in either of these departments give any efficient service to the State. Further facts rgarding failure to enforce laws, waste of money in the game farm and on the fish boat, prevalence of fraudulent per diem claims and expense accounts, and the entire absence of any intelligent and constructive effort to conserve the public wealth in either fish or game, are given in detail in the report of the Civil Service Commission and in the reports of audits of these departments conducted under the direction of the State and Department Auditor, all of which are herewith transmitted.

I recommend that a bill be passed abolishing both Fish and Game Departments as they now exist and substituting therefor a Game and Fish Conservation Commission, to be composed of three commissioners, the president to be the executive officer and to be paid $5,000.00 a year, and the remaining two commissioners to be persons of scientific attainments, versed in the biology of fish and game, to be paid $2,500.00 a year each.

I recommend that under the direction of this commission a force of six wardens at $1,500.00 a year each and sixty deputy wardens at $1,200.00 a year each shall be employed continually in

the enforcement of the conservation laws, and that in such seasons as extra service is required, not more than sixty deputy wardens may be appointed temporarily at $100.00 a month each.

I recommend further that in adopting the bill for such reorganization and consolidation, particular attention shall be given to the drafting of wise and effective measures for the conservation of commercial fishing as well as for the protection of the interests of sportsmen, and that in consideration of these measures the advice of scientific experts shall be consulted.

Respectfully submitted,

E. F. DUNNE, *Governor.*

THE PROGRESS OF THE INITIATIVE AND REFERENDUM.

STATEMENT TO THE PUBLIC, MAY 2, 1913.

The resolution providing for the initiative and referendum has already passed the Senate and has been reported for passage by the Judiciary Committee of the House.

Under Article IV of the State Constitution, relating to the legislative department, as now phrased, the right to initiate and veto laws is not reserved to and by the people of Illinois.

For more than eight years the people of this State, following precedents set by other republics and fourteen sister states of the American Union, have been insistently demanding the right to legislate directly for themselves by the initiative, and the right to veto legislation, passed by the Legislature, contrary to the wishes of the people, by the referendum. Twice within the last eight years, the people of Illinois, by overwhelming votes at the ballot box, in the ratio of about five to one, have manifested an urgent desire for this great reform. Their demand is insistent and just, and has been too long denied.

With the control given to the people over legislation by the possession of the initiative and referendum, corruption in the Legislature would, practically, be eliminated and all laws, finally enacted either by the Legislature or by direct vote of the people, would truly express the will of the people.

This control of the law-making power by the people themselves can only be secured by amending Article IV of the Constitution, so as to give to the people the right, by popular petition, to originate legislation under the initiative, and to veto legislation by the referendum.

I confidently hope that, at this session of the Legislature, the bill, already passed in the Senate and now pending in the House, to amend Article IV of the Constitution, so as to secure the "right of direct legislation by the people themselves, upon a petition of eight per centum of the voters voting at the last general election, and to secure the rights of veto in the people, by requiring submission to the people of any law or laws, passed by the Legislature, for their approval or disapproval, upon the filing of a petition of five per centum of the voters voting at the last general election," will be passed.

In my campaign for Governor, the initiative and referendum was urged by me as one of the most vital and pressing issues of the campaign, and, in my judgment, my plurality of approximately 125,000, was largely the result of the persistency with which I pledged myself in favor of the adoption of this great reform. In the late gubernatorial campaign, the initiative and referendum was one of the main planks in the platform of the Democratic party. My vote for Governor was 443,120. Likewise it was one of the main planks in the platform of the Progressive party. Mr. Funk, the Progressive party's candidate for Governor, received 303,401 votes. It was a plank in the platform of every party except the Republican, and it was a plank in the platform of the Republican party four years ago.

In the late election the Republican candidate for Governor, Charles S. Deneen, received 318,469 votes. The other candidates for Governor in the same campaign, who urged the adoption of the initiative and referendum, received a total of 844,411 votes. The candidate for Governor who did not urge the adoption of the initiative and referendum received only 318,469. These figures speak for themselves.

The people have demonstrated, in no uncertain terms, three times at the ballot box, that they desire this reform crystallized into law, and I say again that, in my judgment, it was mainly upon this issue that I was elected Governor of this State.

The Senate has done its duty and passed the resolution for this measure by an almost unanimous vote. The matter has been reported favorably in the House of Representatives by the Judiciary Committee. Within the next few days, the House of Representatives will vote upon the measure. I believe all friends of good government in the House of Representatives, all those who believe in the right of the people to rule, all those who believe in respecting the will of the people, as expressed at the ballot box, will vote for the resolution now pending, that the measure most strongly advocated by this administration and, through the advocacy of which, the Governor of this State rolled up such a significant plurality, may be enacted into law.

Ohio adopted this great reform in its constitution, adopted last year. Let the State of Illinois, at the thrice-expressed mandate of the people, do the same at this session of the Legislature. Let us be loyal to the will of the people expressd at the polls.

ADDRESS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE BIRTH OF STEPHEN A. DOUGLAS.

ADDRESS TO FORTY-EIGHTH GENERAL ASSEMBLY, APRIL 23, 1913.

Gentlemen of the Senate, Gentlemen of the House of Representatives, Ladies, Fellow Citizens of the State of Illinois:

I have been honored by the Committee on Arrangements, representing the Joint Assembly, in being asked to preside over this memorable meeting.

One hundred years ago, in a little village in Vermont, there was born a man, who, when he arrived at the years of manhood, made his home in the State of Illinois, and who, from the time when he came to this State, until the time of his untimely death in 1861, was one of the great intellectual leaders, not only of the State of Illinois, but of the United States of America.

In the political struggles which attracted the attention not only of this State, but of the whole United States, he became one of the great moving figures, and in his intellectual combats with another great Illinoisan, Abraham Lincoln, he riveted the attention of the whole of the United States upon the issues of his day.

These two great sons of Illinois became so prominent in the political life of the United States that they were both nominated for the highest executive office in the gift of the people of the United States, and after a most memorable struggle, Abraham Lincoln, his competitor, was elected President of the United States.

At this juncture this Nation was faced with a situation full of peril, if not complete extinction, and upon that great occasion the man whose name we now meet to commemorate, proved himself a patriot among patriots, and next to Abraham Lincoln, himself, did more for the preservation of the integrity of the United States than any other man within its confines.

You are exceptionally fortunate, my friends, in being tendered an intellectual treat this afternoon; and in view of the fact that there are so many eminent, and so many eloquent speakers here today, I shall confine myself, from this time on, to the pleasant duty of introducing to this audience these distinguished gentlemen.

SEEKS HELP FOR PEOPLE IN THE FLOODED DISTRICT ON OHIO RIVER.

MESSAGE TO FORTY-EIGHTH GENERAL ASSEMBLY, MAY 7, 1913.

Gentlemen of the Forty-eighth General Assembly:

I beg to transmit herewith reports of Frank S. Dickson, the Adjutant General, and Amos Sawyer, Acting Secretary of the State Board of Health, covering the protective, rescue, relief and sanitary work of the State in the flooded territory on the Ohio River.

These reports evidence at once the absolute necessity and the thoroughness and extent of the relief work. I invite your attention to the fact that in carrying on this work there were on active duty, twenty-four companies of the Illinois National Guard and three divisions of the Illinois Naval Reserve, rendering courageous and effective service in protecting levees, building bulkheads, filling and placing sandbags, and carrying relief to distressed persons.

Help was given to thousands of our citizens in thirty-one flooded sections through the establishment of twenty relief stations, from which food, clothing and tents were issued by methods which conserved the interests both of the State and of those organizations, societies and individuals that so generously forwarded aid, and which also fully met the equitable requirements of the flood sufferers.

The relief and sanitary work were so coordinated as to be doubly effective. I feel no stronger evidence may be presented of the dispatch and thoroughness with which their duty was performed by those having this work in charge than the statement that in the wide extent of devastation all possible disease epidemics were anticipated; no man, woman or child was permitted to suffer from hunger, or left without clothes or shelter; and not a single life was lost in the rising waters.

I am satisfied that the prompt and effective action of the State authorities in this matter prevented the loss of millions of dollars worth of property belonging to the citizens of Illinois.

The cost to the State is presented in the itemization prepared by the Adjutant General and transmitted in connection herewith, which may be summarized as follows:

Expenditures for protective, rescue, relief and sanitation in connection with the refugees, $65,118.99. Of this amount, itemized bills in the sum of $45,118.99 are in the hands of the Adjutant General, the remaining $20,000.00 being a carefully prepared estimate of the outstanding indebtedness, based upon computations of the different matters for which bills have not been received. I have received from various sources, voluntary donations, approximately $15,500.00 in flood relief subscriptions. The residue of this fund is approximately $13,600.00, leaving a balance of approximately $52,000.00 at present unprovided for.

Expenditures connected with the active service of the Illinois National Guard and Illinois Naval Reserve on flood duty were $81,647.68. The balance in the emergency fund at the inception of the flood was $23,356.56. This balance has been exhausted and there is an unpaid liability of $58,291.12.

I recommend that a bill be passed appropriating $52,000.00 or so much thereof as may be necessary for the purpose of defraying the indebtedness incurred on the part of the State in furnishing relief to flood sufferers.

I recommend the passage of a bill appropriating to the emergency fund of the Illinois National Guard and Illinois Naval Reserve, $58,291.12 to defray liabilities contracted by reason of the necessary use of the military and naval force in the protection of life and property in the flooded territory. In view of the fact that the liability above indicated has been contracted and is now unpaid, it is respectfully urged that the bills be passed with emergency clauses attached.

Respectfully submitted,

E. F. DUNNE, *Governor.*

INITIATIVE AND REFERENDUM.

MESSAGE TO FORTY-EIGHTH GENERAL ASSEMBLY, JUNE 5, 1913.

To the Honorable, the House of Representatives of the Forty-eighth General Assembly:

In my candidacy for Governor, I sought election upon a declaration of principles, among which the Initiative and Referendum was the most vital and important part.

A very great majority of your Honorable Body, as well as myself, were elected upon the pledge that we would incorporate such an amendment into the Constitution of this State.

The question of the adoption of the resolution providing for the Initiative and Referendum comes up today before your Honorable Body. If adopted by your vote, the proposed amendment to the Constitution is again submitted to our constituents—the people of this State—for their final acceptance or rejection.

In view of the thrice-recorded vote of the people at the polls in favor of the principles of the Initiative and Referendum I respectfully, but earnestly, submit that we ought to obey the expressed will of the people and adopt the resolution providing for this great reform.

Thus we will place it within the power of the people finally to adopt or reject this proposed amendment to the Constitution and thus we will redeem the pledges we have made to the people.

Respectfully,

E. F. DUNNE, *Governor.*

HIS ATTITUDE TOWARDS THE UNIVERSITY OF ILLINOIS.

STATEMENT TO THE PUBLIC, JUNE 7, 1913.

In view of the fact that certain anonymous, false and otherwise misleading pamphlets have been circulated throughout the State tending to create the impression that the Governor and the chairmen of the Appropriation Committees of the Senate and House of Representatives were endeavoring to cripple financially the University of Illinois or subject the university to inconvenience in the management of its financial affairs, I make this statement to the public in order that it may know exactly what the situation really is.

For many years past the University of Illinois has been drawing its finances from the State treasury out of the appropriations made by the Legislature in bulk sums upon requisitions signed by the treasurer of the board of trustees of the university attested by its secretary. The drafts drawn the last two years have been in the following amounts and upon the dates indicated:

STATISTICS OF DRAFTS.

August 5, 1911, to H. A. Haugan, treasurer, $408,230.26.
October 31, 1911, to H. A. Haugan, treasurer, $322,025.00.
November 17, 1911, to H. A. Haugan, treasurer, $40,000.00.
December 2, 1911, to H. A. Haugan, treasurer, $16,206.56.
January 12, 1912, to H. A. Haugan, treasurer, $314,625.00.
April 15, 1912, to H. A. Haugan, treasurer, $541,825.00.
May 1, 1912, to H. A. Haugan, treasurer, $300,000.00.
July 2, 1912, to H. A. Haugan, treasurer, $65,000.00.
August 1, 1912, to H. A. Haugan, treasurer, $418,057.96.
January 8, 1913, to H. A. Haugan, treasurer, $492,125.00.
January 31, 1913, to H. A. Haugan, treasurer, $466,133.08.
February 5, 1913, to H. A. Haugan, treasurer, $210,000.00.

The sums so drawn from the State treasury have under the old system been deposited with the local treasurer of the university and used to pay university bills. The bills or vouchers so paid under the old system were then sent to the Governor's office after payment, to be approved in the Governor's office.

These bills ran far up into the thousands and the moneys represented thereby aggregate millions.

Under the system which has been followed in past years, the Governor has thus been compelled to pass upon and approve, in round numbers, fifty thousand vouchers each biennium aggregating approximately three and a half million dollars. The Governor has been required to approve these vouchers three or four months after the expenditures are made and at a time when his refusal to approve a single item would stop the payment of any and all moneys of the university by the State Treasurer.

Under the old system the Governor was placed in the attitude of perfunctorily approving hundreds of thousands of dollars' worth of vouchers long after the money had been spent.

The Governor has been advised by expert accountants, and so believes, that this method of doing business in so far as it compels the Executive to pass upon paid vouchers perfunctorily, is ridiculous and absurd. The Governor, therefore, upon conference with the State Auditor and Chairman of the Appropriation Committees has asked that this absurd and unsatisfactory system be changed.

The Governor is insisting that money drawn by the university shall be upon itemized vouchers approved by the board of trustees of the university, then presented to the Auditor of Public Accounts, whose duty it is to audit all vouchers in the same manner as is followed by other public institutions of the State and then paid by the State Treasurer.

In the false and misleading pamphlets the statement is made that the Governor demands the right to approve or disapprove vouchers for the university expenditures in advance of payment.

The Governor does not desire or demand that he be permitted to approve expenditures of the university, either before or after the vouchers are paid, but he does insist that, if he be called upon by law or procedure to pass upon the vouchers, that these vouchers shall be submitted to him before the moneys are paid when approval or disapproval would be of some effect.

The Governor is desirous that he shall be relieved of the responsibility in the matter of approving these vouchers and that the board of trustees of the university shall perform the duty, and that when they have approved the vouchers that the Auditor of Public Accounts shall audit these vouchers before payment by the State Treasurer.

The pamphlet entitled, "State of the Proposals," sent out from the university creates an entirely false and erroneous impression. The Governor is in favor of absolutely divorcing the University of Illinois from politics. The claim is made that the

Governor is in favor of taking the fees earned by the students and to "confiscate it to the State treasury."

The Governor is willing and favors the reappropriation to the University of Illinois of all of its revenue, of all Federal funds, of all gifts, donations, trust funds, etc., made by private individuals, alumni and others.

Certain individuals, apparently, have been attempting to create the impression that the Governor and the Chairman of the Appropriation Committees are attempting to handicap the University of Illinois by changing its financial system.

On the other hand, the Governor and the Chairman of the Appropriation Committees are in favor of doing everything possible to bring about a greater efficiency in the university and only are asking that the appropriations made for the university remain in the hands of the State Treasurer to be paid out on itemized vouchers, approved by the university trustees and audited by the Auditor of Public Accounts instead of, as has been the custom in the past, permitting the university to deposit the moneys of the university in the hands of a local treasurer and compelling the Governor to approve vouchers long after they have been paid.

VETO OF SO-CALLED KLEEMAN BILL.

MESSAGE TO FORTY-EIGHTH GENERAL ASSEMBLY, JUNE 16, 1913.

To the Honorable, the House of Representatives of the General Assembly of Illinois:

I return herewith, without my approval, House Bill No. 38. This bill authorizes the Sanitary District of Chicago "to construct a public harbor so far as feasible within the meander lines of Lake Calumet, Cook County, not less than 500 acres in extent."

It authorizes the said district "to build permanent retaining walls around said basins and slips."

It authorizes the said district further "to operate wharves, docks, levees, elevators, warehouses, vaults, disposal stations, reduction plants, terminal railroad tracks and other terminal facilities."

It authorizes the district to build "connecting channels between said harbor basis and the Calumet River, Calumet Harbor, Lake Michigan and other waterways in or adjoining the Sanitary District" when required in the judgment of the corporate authorities of the said Sanitary District, and the district is required, after making such connections, "forthwith to build suitable bridges across such waterways." It provides that the riparian rights of the owners of property adjoining the lake shall not be affected without making just compensation therefor.

It further authorizes the Sanitary District to acquire by purchase, condemnation or otherwise, so much land as may be required for use by the Sanitary District of Chicago to afford facilities for railroads connecting with said harbor.

It will be seen from the above that the rights given to the Sanitary District are far-reaching in their nature, and if this bill were permitted to become a law an enormous burden might be imposed upon the taxpayers of the Sanitary District of Chicago.

In view of the enormous powers so given, I deem it unwise to approve this bill until a concrete scheme is formulated, the cost of same to be approximately ascertained so that the taxpayers of the district might know what their burden in the future would be.

The excavating of 500 acres in the lake and the necessary connections from such excavation to the Calumet River at the south of the lake, and docking the same with timbers, I have ascertained, from careful investigation, would alone cost over three million dollars. What it would cost to acquire the riparian rights of the owners of property around Lake Calumet to build connecting waterways with Lake Michigan and other waters and the building of bridges thereover, I have not been able to ascertain, but it might run into enormous figures.

To extinguish the riparian rights of the owners of property surrounding Lake Calumet would require the expenditure of more moneys.

In my judgment, as the location of a harbor in Lake Calumet would tend to increase much in value the properties surrounding the lake, the owners thereof should be compelled, before locating any such great enterprise in that neighborhood, to release and quit-claim all such riparian rights before such an undertaking is entered upon.

In the absence of a formulation of a concrete scheme which would show at least approximately the cost of the proposed enterprise, and in the absence of any showing that the owners of the property surrounding Lake Calumet are willing to relinquish and convey their riparian rights, I deem it my duty, in the interests of the taxpayers of the Sanitary District, to veto this bill. Accordingly, I withhold my approval of the same and return same to you without my approval.

Respectfully submitted,

E. F. DUNNE, *Governor.*

FAVORS PRINCIPLE OF RELIEF TO PARENTS OF DESTITUTE CHILDREN LAW.

STATEMENT TO GOOD HOUSEKEEPING, JUNE 16, 1913.

In response to your inquiry, relative to home aid for dependent children in Illinois, I beg to state that I am in full accord with this law and consider the principles it inculcates are fundamentally sane and sound.

The law, though somewhat crude and incomplete, has worked out well in Illinois and with some changes will place the dependent child problem in our State on an entirely new basis.

The motive back of the passage of this law, I consider, contains all three elements mentioned in your letter. It is not only based on humanitarianism and sympathy, but, in the course of time, will prove to be a good business investment for the State.

That a mother should be required to part with her offspring simply because of poverty or adverse circumstances over which she has no control, is nothing short of an outrage, and should not be tolerated in any civilized country; nor is the crime much less when the child must be recorded as a dependent in order to enable the mother to procure the needed help.

A bill has just passed the Senate and doubtless will become a law, eliminating the necessity of the child being tried and found dependent. If, after careful investigation, the mother is found to be needy, by due process, without the child being recorded as a dependent, she may receive a suitable compensation, enabling her to remain at home and care for her child or children. While these cases come within the jurisdiction of the Juvenile Court, the mother's pension law should be separate and distinct from the so-called Juvenile Court law and under the provisions of the bill now pending it is made so, while the interest of the State and the children are, in our opinion, safeguarded, the home being under strict supervision of a competent probation officer with penalties fixed for violation of the law.

The present law providing home aid for dependent children has grown in favor and wherever put in practice has continued. A number of counties outside of Cook, where the law has become most popular because of good results achieved, are putting it to practice with equally good results.

Hon. Arthur D. Deselm, county judge, Kankakee County, in his report for June, 1912, to the Board of Administration, of children placed during the quarter shows that twenty-three children were found dependent; of these, one was placed in a foster home, three sent to an institution and nineteen were pensioned. I have just been informed by the judge that the work has proven a great success and decidedly helpful in lessening pauperism in his county. The enactment and proper enforcement of this law gives both the mother and the child a square deal.

In Illinois, contracts are often made by boards of supervisors with institutions to take their dependent children for a stipulated price ranging from $25.00 to $50.00. The argument often presented to the board is that it is cheaper to dispose of the child in this way than to attempt to keep it in the county. There will be less need for the signing of such contracts when the mothers' pension law becomes the universal practice, which is bound to be the case sooner or later. If this law is properly enforced, you are correct in assuming that it is cheaper to pay the pension to the mother than to put this class of children in an institution. One case in question, and there are numerous others that have come to me within the past few weeks as a result of the work of certain child-saving societies, is worthy of consideration. Three little girls because of the poverty of their mother were placed with an association for temporary care; one of these had recently been taken from the mother's breast. She signed the contract that, if she was financially able to care for the children, they would be returned to her in three months; she failed in her attempt; the children were scattered and the mother died, her death being supposedly hastened because of her grief. Later an appeal was made to the department of visitation of children and, after several weeks of earnest search, the three sisters were found and reunited in a state outside of Illinois. Other institutions in the State are at the present time receiving and disposing of children on the same conditions. This law, properly executed, will relieve the State of this diabolical practice and insure to the poor mother the sacred right of rearing her own child or children. We unhesitatingly recommend the law and are confident that very soon each state in the Union will have such a law fully enforced for the protection of this class of poor, deserving mothers and their children.

STATEMENT OF GOVERNOR DUNNE REGARDING PUBLIC UTILITIES.

(House Bill 907.)

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT,
SPRINGFIELD, ILL., *June 30, 1913.*

To the People of Illinois:

Satisfactory control of public service corporations is manifestly necessary. No one will dispute the accuracy of this statement.

Such control by a commission should be given every reasonable trial in this State. If that fails, all will concede, there is no alternative but public ownership. A public ownership law has just been passed by the Legislature at my request.

Public utility legislation, I believe, is no longer in the experimental state. It has been adopted by the states of New York, New Jersey, Massachusetts, Oregon, Wisconsin, Ohio, Indiana, California and other states, some twenty in all, and with results that have proved satisfactory to those communities. The public utilities bill in the form in which it comes to me for approval, notwithstanding that there has been eliminated from it certain home rule provisions, which I earnestly supported and tried to have placed in the act, is in many respects the best measure of its kind that has found its way into the laws of a state. It is elastic; it is workable; it provides ample authority for a Public Utilities Commission, when appointed, to deal efficiently with all problems it may undertake. It is in my judgment better than the Wisconsin law which has been regarded as a model in that it eliminates two questionable features of that law, to-wit: first, giving the commission control of public owned utilities, and, second, giving private corporations indeterminate franchises.

The Democratic State platform of 1912, upon which I was elected to the office of Governor, said: "We demand enactment of legislation creating a commission that will consolidate supervision and control over public service and public utilities corporations, that unjust and intolerable practices shall cease."

The Republican State platform of 1912 said: "We favor the enactment of public utilities legislation that will place all railroad,

telegraph, telephone, electric light and power companies, street railways, distributors of gas, express companies and common carriers of all kinds under the control of a commission or commissions having authority over the issuance of stocks and bonds, the fixing of valuation of plants of these corporations and regulation of their rates and services so as to treat fairly the interests of investors and of the public.''

The Progressive platform also declared in favor of a State Utility Commission.

Thus it will be seen that the Democratic platform, and the platforms of the Progressive and Republican parties contained planks demanding the creation of a Public Service Commission, so that the electorate of Illinois substantially voted as a unit in favor of this proposition.

Taking into consideration all the facts, it is manifest to me that the people of the State of Illinois desire a Public Utilities Commission. It is true the Legislature repudiated the doctrine of home rule, and it is regretable that it did not accept the provisions of Article 6 of the original bill, which would have enabled the city of Chicago and all other cities in the State, if they so elected, to govern and control their own utilities.

In the original public utilities bill that was prepared under my direction by Professors Kinley, Fairlie and Dodd of the Illinois State University, upon consultation with Professor Bemis, the home rule feature for cities was incorporated. I conferred with Mayor Harrison, Corporation Counsel Sexton, members of the Committee on Public Utilities of both Houses and others, and after many conferences certain changes were made in the bill elaborating on the home rule article.

When the bill was introduced in the House it contained the home rule feature. The House of Representatives, however, amended the bill by striking out the home rule feature. The bill then went to the Senate. Before the vote on the bill in the Senate, I appeared before that body, and urged them to restore the home rule section. The Senate replaced the home rule provision in the bill, and sent it back to the House of Representatives for concurrence in the amendments.

In the meantime I spoke to about fifty members of the House of Representatives individually (all I could reach personally) and urged them to concur in the amendments of the Senate, and replace home rule in the bill. On the roll call in the House of Representatives only seventy votes were cast to concur in the Senate amendments, whereas seventy-seven were needed. The bill then went back to the Senate and on motion the Senate receded from its amendments and the bill comes to me in its present form without the home rule feature.

Home rule can be provided for hereafter, if public sentiment crystallizes sufficiently to influence the State Legislature at the next session to amend the act so that provisions of article 6 of the original bill may be restored to it. This can be done without prejudice to the rest of the State.

No criticism is offered of the provisions of the bill except on the single point that it does not provide for home rule. It is modeled on the Wisconsin law, with some features copied from the statutes of other states. Every section has been approved by official representatives of the city of Chicago. It is admittedly as good a bill as could be framed in the light of the experience of those states which preceded Illinois in this vital public reform.

It writes into the law of this State the principle that the charges of public service corporations shall be based upon a fair return on actual investment. It takes questions of public utility service and charges out of politics and leaves questions of regulation to be determined after scientific investigation, publicly made.

I sincerely favor the principle of home rule and used my best efforts to induce the Legislature to write it into the statute.

Chicago is where I have lived most of the years of my life, and I would not knowingly do anything that would in any way harm or impede the progress of that city. I do not believe, however, that it would be fair for me, as Governor of the whole State, to veto this bill if such veto would deprive the rest of the State of material benefits. It has required many years of effort to induce the State Legislature to take the first step toward the scientific regulation of public utilities. It is the judgment of those best informed upon legislative methods that it would be far easier to induce the next Legislature to amend the existing law than to sacrifice the bill already passed and require ground to be broken anew in 1915.

To refuse to approve the measure in view of the history of public utility legislation in other states, would be tantamount to running the risk of putting off such legislation indefinitely. Its enactment by the Legislature during the session just ended was almost psychological. For the first time in the history of the State, all of the political parties had united in demanding such legislation. That demand was the outgrowth of years of misconduct and rapacity on the part of the corporations.

The act does not become effective until January 1, 1914. The Governor has thirty days following that date in which to name the members of the Public Utility Commission. Experience has shown that a considerable time must elapse before such a board can adequately organize to proceed intelligently with the work which it is empowered to perform. Fortunately the board will be prepared to proceed immediately with the work of the State Board of Railroad

and Warehouse Commissioners, but the task of dealing with other public service corporations will require preparation and organization.

The time of the commission will be mostly occupied in looking after interurban utilities and performing the work of the Railroad and Warehouse Commission until the next session of the Legislature, even if no special session should be called, when the act should be speedily amended so as to restore to the cities their present control of utilities, and I will urge the General Assembly to do this.

To me, the proposition is just simply this:

Were I to veto the present bill, public utilities legislation might not be had for years to come. With this bill on the statute books and public sentiment heartily in favor of home rule, there should be no serious doubt about having the home rule feature incorporated in the law at the next session. Experience has shown that it is always easier to amend the existing law than to have an entirely new bill passed by the Legislature.

Having in mind the words of the Democratic State platform upon which I was elected, and having in mind the fact that *I am Governor of the whole State,* I deem it my duty to sign the bill as passed and insure to Illinois without further delay the creation of a commission that will consolidate the supervision and control of the public service and public utilities corporations, and I say here that at the next session of the Legislature, no one in Illinois will more energetically or more earnestly try to incorporate in the bill the home rule feature, than myself.

The people of the State can depend upon it that whatever the advantages of home rule are as a matter of principle, the Public Utilities Commission to be appointed by me will, to the best of my judgment and ability, be constituted of men of such character and ability as to place the cities of the State under no practical disadvantage by reason of the failure to include the home rule amendment.

In accordance with my recommendation, the Legislature has enacted a law giving to cities the power to own and operate their public utilities. If the work of the public utilities commission is unsatisfactory and the commission cannot properly control the utilities, public ownership is the only alternative, and this has been amply provided for in the splendid public ownership measure just placed upon our statute book and signed by me within the last forty-eight hours.

Public ownership, in my judgment, must be the ultimate solution of the complex problems, which, forever, are arising from the attempts of the people to exercise legitimate and lawful control over

public utility corporations; but realization of the benefits of public ownership may be deferred for a long time, hence it is urgently essential that there shall be centralized control and authority now.

This law, in principle and form, is nearly identical with laws, the passage of which was procured by such eminent leaders of modern thought as Woodrow Wilson, of New Jersey, and Senator La Follette, of Wisconsin, in their respective states.

E. F. DUNNE.

THE VALUE OF FISH AND GAME IN ILLINOIS.

ADDRESS TO STATE GAME AND FISH CONSERVATION COMMISSION, JULY 5, 1913.

Gentlemen:

In my campaign I pledged my best efforts to the conservation of our fish and game, and to place those departments on a basis of efficiency and economy. The superficial glimpses which we were able to get of the protected fish and game departments warranted me in publicly assailing them as incompetent and wasteful.

One of my first official acts as Governor was to order a searching investigation of these two departments. Accordingly investigation was made by the State Civil Service Commission, which was assisted by a firm of certified public accountants.

Their reports were submitted by me to the General Assembly in a special message on April 13, 1913. Extensive accounts of their findings appeared in all the newspapers of the State. How fair and truthful these investigations were has been vividly demonstrated by the complete silence with which their disclosures have been received, both by the political organization which profited by the misdeeds and by the men who were directly responsible for their commission.

The reports of these investigations revealed a state of inefficiency in organization and operation and a mess of corruption and waste in the expenditure of public money, so great that I at once exercised my prerogative and in the interest of public morality, summarily removed from office those men who had been guilty either of manifest offenses, or, without protest, had stood by complacently and witnessed them.

Both the departments and the laws had become a by-word, a joke and a scandal. Our political nomenclature had been enriched by the contemptuous terms, "rabbit shepherds" and "carp nurses". The conservation of that part of our natural wealth, represented in fish and game, had been completely lost in the mad rush after partisan and personal spoil. Employes were discovered defrauding the State for time they had been paid

for by private employers. Others were duplicating expense bills and securing money for services and material never furnished. The game farm, so-called, was costing a vast sum of money without adequate return to the State.

The General Assembly, on my recommendation, has wisely consolidated the fish and game commissions under a plan of reorganization that is comprehensive and scientific and in accord with progressive ideas and withal capable of operation and enforcement.

I have named you three men as the commissioners to carry out its terms.

The fishing industry along the Illinois River is annually worth a million and a half dollars, and is growing rapidly. I have seen the statement, that the output of the Illinois River is second in value to that of the Columbia River. All our streams, lakes and ponds should be conserved, the supply of fish replenished and protected to the end that from these sources of food enough may be taken to influence the cost of living downward.

Our game, especially our birds, perform their service in another way and we cannot estimate their value in dollars and cents, but we know that the farmers' best friends are those birds which fight the pests and parasites of his fields. How much of our magnificent yields of corn and other grains and fruits of all kinds should be credited to our birds we cannot even approximate.

Illinois can and should cooperate with the general Government in this work of conservation. It is too extensive and its possibilities too varied for me to attempt enumeration today. The new law affords you a wonderful opportunity to perform a great service that will benefit our people financially and socially. I hope you will measure up to the demands and opportunities. It is my desire that you shall so enforce this law that it may be raised to a plane of dignity and respectability, and so administer your department that, when you leave it, you will leave a monument to efficiency and an asset to the public service.

Further, let me say that the investigations of the game and fish departments have impressed me with the necessity for applying, especially to fish, a system of culture and conservation that will, in years to come, assure the people of the State of Illinois a needed auxiliary food supply. Our beef food supplies are diminishing year by year at a rate that is startling to contemplate. The last decennial census disclosed that, notwithstanding there has been an increase in population aggregating nearly twelve millions, the cattle supply of the Nation had diminished from seventy-seven millions to fifty-seven millions. This,

obviously, can mean but one thing. The people sooner or later will be forced to seek new forms of food supply.

My investigations disclosed that the State of Illinois possesses elementary sources of food supply that are equal to those of any other State in the Union. The Illinois River alone should become, under thoughtful, skillful management by the new Game and Fish Conservation Commission, one of our greatest and most enduring sources of wealth.

I would respectfully suggest that, as soon as the new commission has been organized and is ready for business, the question of fish conservation be taken up in a broad, intelligent manner with Professor Stephen A. Forbes of the State University, who is acknowledged to be the most eminent biologist in the country. Professor Forbes is wonderfully interested in our natural resources and possesses a vast fund of important information which can readily be applied to existing conditions.

I wish you gentlemen to go to work at once and divide the State into districts, each to be overlooked by a district warden. The deputy wardens you will assign to such places where you think they are most needed. It might not be a bad suggestion to have some of the district wardens continually traveling throughout the State to see that the deputy wardens are properly performing their duties.

All wardens should be required to make a daily report showing what work they have done and where their time has been spent. Every man who accepts a position as a deputy or district game warden is expected to perform honest work for the compensation he receives from the State.

I shall hold you gentlemen responsible for the proper conduct of the Fish and Game Department and for the conservation of our great natural resources. I hope you will do your duty and you shall find me at all times cooperating with you.

FAVORS ABOLITION OF BOARD OF EQUALIZATION.

ADDRESS TO DEMOCRATIC MEMBERS OF THE STATE BOARD OF EQUALIZATION, AUGUST 15, 1913.

Gentlemen:

I am pleased to meet you gentlemen and to say a word to you in reference to the duties you are charged by law to perform. I understand that for the first time in its history the State Board of Equalization is a Democratic board. Such being the case, I hope you will do your duty faithfully, energetically and fearlessly that the great corporations, which have evaded just taxation in the past may pay the share that they should pay. In my announcement of my candidacy for Governor, which was made a year ago last January, I advocated the abolition of the State Board of Equalization. Largely at my suggestion the following plank was incorporated in the Democratic State platform, which was adopted at Peoria:

"We demand the abolition of the State Board of Equalization; its functions to be performed by a commission of experts appointed by the Governor, approved by the Senate, who shall sit the year round in open session and preserve daily minutes and records of its proceedings."

I have heretofore believed, and I still believe, that the State Board of Equalization should be abolished. It is the system that I believe is wrong and should be changed.

Nevertheless, under the law, you gentlemen have certain duties to perform. It is now a Democratic board and I urge you to so perform your duties that it may be said, for once in its history, that the Board of Equalization has become a people's board; that it takes its orders, not from the great corporations, but from the people of the State. I hope you will do your duty honestly; that you will show no favoritism but will assess fairly and justly the property of all those that come before you. Let your honesty, integrity and industry be such that it may redound to the credit of the party to which you belong and that this session of the board may make a record for future members to follow.

CUTS TIME OF HONOR PRISONERS ON PUBLIC ROADS.

LETTER TO WARDENS E. M. ALLEN AND W. V. CHOISSER, AUGUST 22, 1913.

Dear Sirs:

Pursuant to my inaugural message, the Legislature has wisely passed a law permitting the utilization of convicts whose unexpired term of imprisonment does not exceed five years, upon the public roads of the State of Illinois, in the way of improving the public roadways.

This humane measure, in my judgment, will permit many convicts to be engaged in healthful occupation; which will work to the material betterment of these convicts.

The law does not provide specifically for any reward to convicts employed in this manner, but in my discretion, as the possessor of the power of pardon and commutation, I have reached the conclusion that all convicts, so employed, should receive in addition to the good time, now allowed them by law, a further reward for honest and industrious work thus performed upon the public roads of the State.

You can announce to the inmates of your institution that I shall commute the sentences of all employes engaged in this work whom you report to me have honestly and efficiently worked upon the public roads of this State on the following basis: For every three days work honestly and efficiently performed on the roads in the State, I shall commute the sentence of the convict so performing such work to the extent of one day.

In other words, for every three days work performed the convict shall receive by executive clemency a reward of one day. The convict so employed for three months shall receive a commutation of one month. The convict so employed for three years shall receive a commutation of one year.

You are hereby directed to read this letter to the convicts of your institution at your early convenience.

INSTRUCTIONS TO A NEWLY APPOINTED BOARD.

ADDRESS TO STATE HIGHWAY COMMISSION, AUGUST, 1913.

Gentlemen:

I have called you gentlemen here today to discuss, what I believe to be, one of the most important subjects with which this administration has to deal. The matter of good roads touches vitally the agricultural, commercial, educational, social, religious and economic welfare of the State and involves the conservation of natural resources.

Legislation adopted by the Forty-eighth General Assembly makes possible the improvement of the roadways of the State. Sentiment throughout the State is, and has been, strong for better roads. Better roads means that the farmer can get his produce to the market quickly; it means better schools, larger neighborhood communities and better social conditions of all kinds. It means that Chicago is closer to Springfield and Springfield closer to Cairo. It directly connects the different communities of the State with each other.

In my inaugural address to the Forty-eighth General Assembly, I dwelt at considerable length on the question of the improvement of the highways of the State. I recommended the passage of laws which would promote the efficiency and economy of the administration of the road system of the State. The General Assembly has wisely enacted into law measures to this end and I have appointed you three gentlemen as members of the State Highway Commission, under whose control will lie the enforcement of the good roads bill.

In the improvement of public highways, Illinois has been too backward. Reports of the Federal Department of Agriculture show that about 10 per cent of the 95,000 miles of Illinois roads are improved in a permanent manner, as against 38 per cent in the neighboring state of Indiana, 20 per cent in Wisconsin, 20 per cent in Kentucky, 28 per cent in Ohio and 50 per cent in Massachusetts. Considered from the standpoint of improved roads, Illinois is the twenty-fourth in the list of states.

The loss to farmers, because of inaccessible primary markets, and the abnormal expense of transportation, due to bad roads, must

be considered as a contributing cause of the high cost of living. In some Illinois counties, highways are impassable to ordinary loads for a full third part of the year. Bad roads not only hinder crop production and marketing but they keep the rural consumer away from the store of the merchant for weeks at a time. They keep pupils from the schools, and voters from political gatherings, and from participation in elections. They impair the efficiency of churches, and social, fraternal and other organizations, which depend largely on public gatherings for the efficacy of their work.

Bad roads contribute to the unattractiveness, the isolation and the monotony of country life that are responsible for the desertion of rural pursuits, especially by the young. Experts in mental ailments agree that women in remote sections are the chief sufferers from the restrictions of communication and social intercourse, which bad roads impose.

Highway conditions in Illinois are due to the fact that progress in methods of transportation and travel has not been met with corresponding changes in our system of road building and maintenance. Illinois clings to the obsolete practice of placing the burden of highway improvement on the townships. Other states, in their laws, have appreciated that highway travel is no longer entirely local and that the main arteries carry a great amount of intercounty and interstate traffic. Permanent improvement of the main arteries, which carry the great bulk of traffic, is a problem which affects the general welfare, and these states have established, successfully, systems of State aid on such highways.

In my message to the General Assembly, I also recommended that provision be made for the employment of the inmates of the penitentiaries in road work. The Legislature has adopted a bill to that effect and this will lead to much good results.

I want you gentlemen to give to the positions, to which I have appointed you, the best that is in you and to work in cooperation with me for the improvement of our roads. Nothing that we can do will mean more to the State of Illinois than to improve its roadways. I leave to you the working out of the necessary details. Yours is a big undertaking but I think I have selected men competent to fill the places that have been given them. I place the matter in your hands and hope that when our terms of office shall be ended we will turn over to our successors a vastly improved system of roadways in the State we all have been called upon to serve.

THE VALUE OF GOVERNORS' CONFERENCES.

STATEMENT TO THE PUBLIC, SEPTEMBER 3, 1913.

I have just returned from the governors' conference held in Colorado Springs, Colorado.

It was attended by twenty-three governors, two lieutenant governors and several ex-governors.

It proved to be a very interesting and, I believe, a very instructive gathering, at which were discussed the questions of "State Department of Efficiency and Economy," "Distrust of State Legislatures," "State Assumption of Nomination and Election Expenses," and the "Growth of the Control of Public Utilities."

Some very radical and startling ideas were enunciated by some of the Governors. Notably by Governor Hodges of Kansas, who advocated a single legislative chamber, composed of some eight to sixteen men, who would sit the year around in conference with the governor and formulate laws for the government of the state. The suggestion did not seem to meet with the approbation of the Governors' Conference. A very entertaining and instructive debate was held upon this proposition, but the majority of those present seemed to favor the present system of two houses.

Quite a sentiment developed among some of the western governors in favor of state assumption of nomination and election expenses, but the general sentiment of the governors seemed to oppose this novel idea. Also quite a number of the governors were in favor of the state compelling all candidates for office to pay a printing fee of from $100 to $300 and with this fund distribute platforms and arguments of each of the candidates at public expense.

The paper read by the Governor of Illinois upon the "Control of Public Utilities by Commissions" was very generously and favorably discussed at the convention, and seemed to meet with practically universal approval.

One of the governors went so far as to say he was about to call a special session of the legislature of his state for the purpose of putting up for passage a law similar to the Public Utility Act just passed by the Legislature of Illinois.

From participation in this conference, I have reached the conclusion that these conferences are of great value in the interchange of ideas and recommendations from the governors of the states of the Union.

While no formal action is ever taken in the way of a vote of approval or disapproval, it affords an opportunity for the discussion of the questions most vitally affecting the people of the several states, and such discussions tend toward uniformity of action in the different states and the crystallization into law of progressive policies.

I was informed by several of the governors that the conference of 1913 was probably the most interesting and successful of the many conferences heretofore held.

I believe that these conferences will grow into general favor and be productive of excellent results.

The citizens and commercial bodies of Colorado Springs and Denver were extremely hospitable and did everything in their power to make the social features of the gathering a distinct success.

The climate and surrounding scenery of Colorado Springs make that place a most desirable and comfortable place for such conferences in midsummer in contrast with that of Washington, D. C., during the trying midsummer weather.

I think that this great Nation ought to be able to provide a place for the sessions of Congress in midsummer in a place of like character where the strain upon the health and strength of the Senators and Congressmen would not be so severe as it is in the present Capital of the United States.

THE TWO BATTALION SYSTEM IN FIRE DEPARTMENTS.

STATEMENT TO MASSACHUSETTS FIREMEN, SEPTEMBER 4, 1913.

I became convinced, while mayor of Chicago, that the working hours of firemen were unduly protracted and that a limitation ought to be placed by law upon the consecutive hours during which the firemen ought to be on active duty. I therefore advocated what is known as the two platoon system and had it installed in one battalion in the Chicago city fire department.

According to the reports made, after a fair trial, the system worked well and, if I had longer continued in office as mayor, it was my intention to have extended the system further throughout the city. Upon my being retired from the mayoralty, the two platoon system was abandoned by my successor.

Upon my election as Governor of Illinois, I again did what I could to secure the passage of a State law and had the satisfaction, on June 26, 1913, of affixing my official signature as Governor to a law which limits the hours of a fireman to 14 out of each 24.

I hope the firemen of Massachusetts will succeed in having passed a like humane or better law in that state in the near future.

IMPORTANT RESULTS OF THE BATTLE OF LAKE ERIE.

ADDRESS AT PUT IN BAY, OHIO, SEPTEMBER 11, 1913.

Mr. Chairman, Ladies and Gentlemen:

In a lagoon within Jackson Park in the city of Chicago, there have stood at anchor for many years past three tiny, grotesque and highly decorated vessels known as the "Nina," "Pinta," and "Santa Maria."

They look like the playthings of boys, and utterly unfit for the winds and waves of even an inland lake, and yet, without a doubt, these tiny vessels, in so far as their dimensions and general strength are concerned, are practically duplicates or replicas of the vessels in which Columbus and his men crossed the great and stormy Atlantic five hundred years ago, and made the discovery of this great continent, now teeming with nearly two hundred million men.

With such insignificant instruments was one of the greatest accomplishments of history achieved.

The other day in Chicago, I saw within our harbor a little two masted schooner of about 100 feet in length or thereabout, which we know was rebuilt upon the hull and keel of the vessel, which with its tiny consorts compelled, under the command of Oliver H. Perry, an English admiral with a more powerful fleet to strike their colors and surrender their men and vessels.

It seems almost incredible that so tiny a vessel as the reincarnated Niagara and its sister ships of smaller dimensions should have been the instruments with which the momentous battle of Put in Bay was won.

Neither Perry nor his men, nor Barclay and his men, who fought under the British flag on the memorable 10th of September, 1813, could appreciate the tremendous and far-reaching consequences of that battle. To them it meant the mastery of Lake Erie. To them it meant the possession of the facilities for transferring men and supplies from one portion of the lake to the other, but the far-seeing statesmen of that day, upon reflection, might have seen what everyone a century later can readily perceive, and that is, that the naval conflict near Put in Bay decided the destinies of a territory now teeming with 50,000,000

of population, a territory as rich in fertility of soil and in fruitfulness of agricultural and mineral resources as there exists upon the face of the civilized globe.

That conflict, insignificant in so far as the strength and armament of the vessels and the number of men engaged was concerned, decided definitely the question whether the British or the American flag should wave thereafter over the country now known as the states of Ohio, Indiana, Illinois, Wisconsin, Michigan, Minnesota, Iowa, Missouri, Arkansas, Nebraska, Colorado, North Dakota, South Dakota, Idaho and Montana.

It will be remembered that at the time of the battle of Lake Erie there were no railroads in existence, and that these now rich and populous states were but sparsely settled; that there were scarcely a thousand human beings inhabiting the south shore of Lake Erie; that the only means of transportation was upon the water or in the primitive ox and horse carts of that day; and that there were practically no wagon roads built through the wilderness of these states.

Under these circumstances, the only way to control the transportation of men and supplies was by boats upon the bosom of Lake Erie.

If the British war vessels under Barclay had maintained their control of that lake, the red-coated soldiers of the British empire, trained by military warfare for many years, could have been transported across the lake to the northern boundary of Ohio, and by taking possession of strategic points between Lake Erie and the Ohio River, could, and would have maintained the supremacy of the British flag over the whole of the state of Ohio and lower Michigan. Once intrenched and fortified in these states they could, and would have prevented the western spread of the thirteen colonies over this rich and fertile territory, and the territory west of these states.

In the War of 1812, prior to the battle of Lake Erie, the military forces of the colonies in the inland lakes and the territory surrounding was lamentably weak and ineffective.

Hull had disgracefully surrendered Detroit. Mackinaw had been captured by the British forces and the far-seeing British statesmen of that day intended, by the placing of Barclay's fleet in Lake Michigan, not only to secure control of the lake, but to extend the British dominion across Lake Erie and Lake Huron into the states of Ohio and Michigan.

Perry's celebrated victory in Lake Erie demolished all these plans. It gave the Americans absolute control of Lake Erie, and permitted them to land their troops and supplies where they saw fit.

Thus did the celebrated battle of Lake Erie, insignificant in the armament of the vessels and the number of the men engaged, decide for all time to come the possession over this great territory, which is now the heart of the American Nation; teeming with wealth, and populated with tens of millions of American citizens.

In my judgment, the two great decisive battles in American history, previous to the War of the Rebellion, were the battles of Saratoga and Lake Erie. The former has been enumerated by Creasy in his "Fifteen Decisive Battles." The battle of Saratoga was the first important success of the Revolutionary arms against the British forces. It proved to the French government at a critical moment, when that government was hesitating whether or not it should give assistance to the Revolutionary arms, that the yeomanry of America was capable of making a successful fight for the independence of the colonies. It banished the hesitation then prevailing at the French court, and secured the cooperation of the French nation, which culminated in the overthrow of the British armies at Yorktown. It decided the fate of the thirteen colonies, and secured for them their independence.

But when Creasy wrote his work about the middle of the nineteenth century, he had not discovered or appreciated the tremendous opportunities lying undeveloped in the valley of the Mississippi, west of New York and Pennsylvania. He did not even dream of the powerful empire lying west of Pennsylvania now known as the Middle West. He did not sense the far-reaching sagacity of the British design in 1813 to control Lake Erie, and through possession of that lake secure control of this tremendous empire.

The American people do well, now that the full significance of this battle is understood, to commemorate the decisive success of the American arms under the command of the gallant Perry, who saved Lake Erie for the American Republic, and, by saving Lake Erie, added to the thirteen colonies a territory which is probably the choicest and richest on the western hemisphere, and which is capable of sustaining upon its fertile fields a population of 200,000,000 inhabitants.

At the celebration of this victory, with its tremendous consequences to the American people, we can also appropriately and properly celebrate the centennial of final peace between this country and Great Britain.

We trust that we have seen the last of the wars between these two great, powerful and intelligent nations. We believe, and hope that the era of war has passed, not only between these great nations, but between all the great civilized nations of the earth.

The day of peace and arbitrament is here; the day of peace and arbitrament, not only between these great nations, but between all nations and America. The policy of peace and arbitrament is the policy of the present administration.

We are holding out at Washington under the guidance of our great Secretary of State, the olive branch of peace to the nations of the earth. We not only celebrate today the centenary of peace between the two great English speaking nations, but we celebrate and glory in the fact that there always and ever has been peace between this country and nearly all of the nations of Europe, Great Britain and Spain excepted.

We have always been at peace with liberty loving France. Indeed, we owe to her in a great measure the outcome of the war for our independence. Were it not for her valiant assistance at a critical time the outcome might have been doubtful. French succor and assistance added materially to the establishment of the great American Republic, and ever since that day we have been at peace with the French nation under all forms of government, and hope we will always remain in that position.

There has been eternal and perpetual peace between us and the great German nation, the Italian nation, the Austro-Hungary nation, and the Russian nation; from all of them we have drawn the manhood and womanhood that is now making the American Republic the most powerful cosmopolitan people in the world. Europe, not England, is the mother country of America.

In this year of 1913, let us not only commemorate the battle of Lake Erie and the peace of one hundred years which has prevailed between Great Britain and America, but also let us hope that the peace and harmony which prevails between this Nation and all the nations of Europe and the world may never be disturbed by the conflict of battle or the red ruin of war.

STOPS MAUDLIN SENTIMENT OVER CONVICTS.

LETTER TO HON. E. M. ALLEN, WARDEN, JOLIET PENITENTIARY, SEPTEMBER 15, 1913.

Warden, Joliet Penitentiary:

Am informed by Mayor Brinton, Dixon, Illinois, that some misguided enthusiasts are proposing to give automobile rides and theater parties to convicts working on roads at Grand Detour. This is either effervescent emotionalism, or a scheme to advertise a theater. Stop it at once.

E. F. DUNNE, *Governor.*

THE CAREER OF MICHAEL KELLY LAWLER.

LETTER TO PEOPLE OF EQUALITY, SEPTEMBER 22, 1913.

Until today I had indulged in the hope that I could be personally present at the unveiling of the Lawler monument in Equality on September 24, but find this morning that owing to the press of public business here in Springfield, and the fact that I am to be present in Plano tomorrow at the convention of the Farmers' Alliance, that it will be impossible for me to reach Equality and be present at the services without sacrificing public interest here at Springfield.

In this situation, I have asked Captain Frank B. Wendling to act as my representative and spokesman at the unveiling of this monument.

Michael Kelly Lawler was one of the vigorous and fearless pioneers of this State, who was ever ready to respond to his country's call in time of war. The splendid services that he rendered to his Government as commander of soldiers recruited in Illinois will long be remembered by the people of this State.

It is eminently fit and proper that his memory should be perpetuated by the monument which is being unveiled tomorrow in Equality. His career is one of which every citizen in the State of Illinois is proud. May that career serve as an example to young men of the rising generation.

Wishing you and the people of your section of the State a most successful celebration, I am.

Respectfully,

E. F. DUNNE, *Governor.*

THE SOIL WE TILL THE SOURCE OF ALL WEALTH.

ADDRESS TO FARMERS' NATIONAL CONGRESS, PLANO, ILLINOIS, SEPTEMBER 23, 1913.

Mr. Chairman and Gentlemen:

A very pleasant duty falls to my lot today, and that is, as the Executive of this great, premier agricultural State of the United States, to address a few words of hearty welcome to the members of the Farmers' National Congress, upon the occasion of your assembling here, in Plano, Illinois, on the true vein of the most fertile soil, I believe, on the face of the earth, not excepting the far-famed valley of the Nile. At the outset, I wish to express my appreciation of the fact that my distinguished colleague, the governor of the great state of Ohio, a farmer himself, has taken occasion to leave his varied and manifold duties in that great state and come out to our State and address a few words of wisdom to the members of this great Congress.

At home in Springfield yesterday I was visited by your distinguished fellow citizen, Representative Charles F. Clyne, who was kind enough to me to suggest that he would be very happy to be with me here today. Knowing of his oratorical ability, and knowing of his facility in catching the crowd, and knowing that he has made such a distinguished record in the State of Illinois, as a man who introduced into and put through the Legislature probably one of the most beneficial laws that this State has upon its statute books. the great public ownership bill, passed by the last Legislature, it occurred to me that I could probably make a better impression vicariously, by getting this eloquent and able gentleman to represent me here today and make my speech. I don't know what terms he forced upon the modest mayor of this city—(Laughter)—because, since he has made that record for eloquence and perseverance in the Legislature, he has been raising his price. But I do know that, when we discussed the subject matter of representing me here today, his price was so exorbitant that I concluded I would leave Springfield and come here myself. (Loud applause.)

I am here, my friends, in all sincerity in behalf of the great State of Illinois, the greatest agricultural state in the United States, to bid you welcome to this State; to wish you wisdom in your con-

ferences, and to express the hope that the results of this Congress will be for the betterment of the people who live by tilling the soil of the United States. I recognize, my friends, that the backbone of all the wealth of this Nation, and of most nations, is the soil from which we produce the crops. You can raze from the earth every palace, every great monumental structure built by the accumulated wealth of a century; you can raze them from the face of the earth, though they have cost untold millions—yea, billions—by an earthquake, a conflagration, or by any other great catastrophe, and such is the fertility of the soil of the State of Illinois, and so hard-working and industrious are the men caring for and tilling the soil, that in a half century you wouldn't notice the difference. All the great temples and palaces erected in the past were built upon the foundation of all wealth—the soil we till.

Knowing that the soil is the backbone of all the wealth of the country, my friends, it is wise for you men who till the soil to meet in conference for the purpose of advancing the best interests of the tillers of the soil. Because you till the soil, my friends, and because I happen to be by accident,—or by the will of the voters as you may prefer to put it,—the Chief Executive of the premier agricultural State of the United States, I am here today to participate with you for a short time in your conferences.

This State is the premier agricultural State. For years she has led in the production of the greatest of agricultural products of the United States—corn; and she is the second greatest of the states in the production of oats. Recognizing the value of agriculture and recognizing the need of fostering the interests of those who till the soil, this great State, out of the abundance of its wealth, and through the wisdom of the men who preceded me, has established in the State of Illinois a great agricultural school in the State University, which I honestly believe,—and I think you will agree with me—is the greatest agricultural college in the United States.

And yet, my friends, while we are fortunately in possession of boundless wealth in the great fertility of our soil, and have in addition what, perhaps, does not exist elsewhere on the face of the earth, the richest coal mines under a fertile soil that can be found on the face of the earth. While we have all this wealth of soil and wealth of mine, however, we must admit that in this great agricultural State and right in the county where we now are, the population of the rural districts of the State of Illinois, notwithstanding that the population of the State as a whole has been increasing by leaps and bounds, has been decreasing. You have not as many people in the county of Kendall today as you had ten years ago,—the rural population is falling off. It makes

us pause also to be compelled to admit that the fertility of the soil of this great State is decreasing, that it is not as rich today as it was some years ago, owing to the fact that we have not been paying the same scientific attention to the needs of the soil that other people, with broader and longer experience, have been exhibiting in the use of their soils. I know little about farming; my farm education was in early years sadly neglected. I lived in cities from the time of my boyhood to the time of my maturity and to the time of my election to public office and didn't get as practical an experience in farming, such as my friend Governor Cox, the farmer governor of Ohio, may have had. But, my friends, I know this to be a fact, that after a thousand of years of tillage in the great empire of Germany, where they have tilled the soil from the time the Roman centurions and legions fought with the Allemani—although they have tilled the soil for over a thousand years—they produce today in the empire of Germany twenty-nine bushels of wheat to the acre, while you here in Illinois, on a much richer soil that has not been exhausted and can not be exhausted, in this great fertile valley of the Mississippi, on a more fertile soil than they have in Germany—a soil that you have not tilled for over fifty years,—you are only producing sixteen bushels of wheat to the acre. Think of it, my farmer friends! These men that farm a soil that has been tilled for a thousand years are producing twenty-nine bushels to the acre, and you on a soil that has not been tilled for over fifty years, are producing only sixteen. This shows, my friends, that there is need of conferences among American farmers. When the population is drifting from the rich, fertile soil of the rural districts of this State into the great cities of the State, when you, with all the intelligence and with all the instruction that we can give in the greatest agricultural college in the United States, cannot produce as much from your fertile soil as the German produces out of his exhausted soil, it is time for conference and deliberation. It is time for you to take steps for more intelligent methods in farming, to take steps toward intelligent, scientific farming. It is time for you to begin to devise schemes that will keep your boys and girls at home in the rural communities, instead of producing these greatly congested cities and weakening the population of your farms.

That, my friends, if you will pardon a suggestion, can be done, if you will organize in rural communities domestic circles and social circles where amusements can be given,—consolidate little schools where less than twenty are going to school into schools where at least fifty can be taught by competent teachers, where the schoolhouse will be the center of the social life, social

intelligence, and the center where not only education can be given in the day time but where amusements and little pleasures can be given to the young at night.

Think, my friends, of these things. Then devise, as I know you will devise, with the advice of the intelligent grey-haired men and women that I see around me, methods of producing more from the great fertile soil that belongs to you, and devise methods for making rural life more congenial to the children that you are blessed with today, and that I hope you will continue to be blessed with for many years to come.

SUGGESTS A THESIS OR LECTURE ON PRACTICAL FARMING.

LETTER TO PRESIDENT JAMES OF UNIVERSITY OF ILLINOIS, SEPTEMBER 27, 1913.

Dear Sir:

Would it not be a good idea to prescribe, as part of the curriculum of the students in the agricultural department of the university, during the last or senior year, the duty of preparing a thesis or lecture upon practical farming in the State of Illinois, and require these students, before graduation, to deliver the same at one or more of the township schools of the State?

The requiring of the preparation of such a thesis, near the close of the student's curriculum, would not only fire his ambition to excel therein, but, if the most successful and practical of these theses were approved by the university authorities and actually delivered in the township schools, it would bring home to the sons of the farmers who might not be able to attend the university, much practical information of value to them in future life. The delivery of the lecture might be accompanied by practical illustrations in the fields, if necessary. What do you think of this idea?

E. F. DUNNE.

ON THE PARDONING OF TWO CONVICTS.

STATEMENT TO THE PUBLIC, SEPTEMBER 29, 1913.

I today commuted the sentences of two prisoners in the penitentiary at Joliet, to take effect on October 1, 1913.

The first of these cases is that of Sidney B. Creek, who was convicted at the April, 1894, term of the Circuit Court of DuPage County for the crime of murder.

It appears from the report of the prison physician that this man has tuberculosis of the left lung and both testicles; he is also suffering from prolapse of rectum complicated with internal hemorrhoids and ulcers. He has paralysis of the left leg. His other organs are in comparatively good condition. He has been bedridden for six years.

I have liberated him to die outside the walls of the penitentiary.

The other case is that of John Williams, who was convicted at the September, 1890, term of the Circuit Court of Grundy County for the crime of murder. His record up to the date of his pardon is reported to me to be without a flaw. He was 40 years of age when he committed the crime. Upon prison commutation, making allowance for good conduct, he has served a 45-year sentence, and has been in fact in the penitentiary for 23 years. He is now about 67 years of age, and his petition for pardon has been signed by every warden and deputy warden and employes of the penitentiary, excepting one. He has also recently been suffering bad health. In my judgment, he has paid the penalty of his crime.

HIS ATTITUDE ON STATE CIVIL SERVICE LAW.

STATEMENT TO THE PUBLIC, OCTOBER 1, 1913.

The Governor has been shown a copy of an anonymous communication, inspired by the friends of employes suspended on charges, which has been sent to the various newspapers of the State, relative to the attitude of the administration on the enforcement of the civil service law.

The Governor is, and always has been, a firm believer in honest civil service. He has advised President Burdett of the State Civil Service Commission, that he wants the civil service law of the State fairly, impartially and honestly administered. The Governor has requested the resignation of no employe under civil service, although it has been sought repeatedly to have him do so. Employes under civil service have called upon the Governor, and declared their willingness to tender their resignations, if he requested them so to do, but the Governor has uniformly refused to make such requests of civil service employes.

Mr. Moulton was president of the Illinois Civil Service Commission and Mr. Robinson was the secretary under Governor Deneen. Mr. Moulton is still a member of the board and Mr. Robinson is the secretary. Mr. Moulton has been endorsed to the Governor by the various civil service reform associations, who have requested that he be retained on the Civil Service Commission. The Governor has heard no protest from Mr. Moulton, Mr. Robinson or anyone else relative to the enforcement of the civil service law, except from officeholders against whom charges have been filed because of incompetency or worse, or because it is alleged they were illegally appointed.

Temporary appointments have been legally made where there were no eligible lists to fill the various places.

The Civil Service Commission of the State consists of James H. Burdett, A. B. Culhane and W. B. Moulton, and they have been honestly enforcing the law, and in so doing they have the hearty cooperation of the Governor.

ON FIXING STATE FIRE PREVENTION DAY.

STATEMENT TO THE PUBLIC, OCTOBER 2, 1913.

By proclamation issued on September 1, 1913, the Governor of the State of Illinois has set aside the 9th of October as the anniversary of the great Chicago Fire, as "State Fire Prevention Day."

I cannot too strongly urge upon the citizens of this State the observance of the recommendations in said proclamation.

The records of 1912 show that the average losses per month in the State of Illinois by fire were $1,000,000, or $12,000,000 per year, and that these losses have been increasing rather than diminishing in number.

During that same year, 400 people lost their lives by fire. Most of these fires were preventable by the exercise of reasonable care and caution.

Let me again recommend that on October 9, all heating apparatus and chimneys be carefully gone over and placed in a proper condition for winter use, and that the proper authorities in all of the cities and villages of the State make a careful inspection on that day of all public and private institutions, hotels, asylums, factories and theaters, and make such suggestions as will minimize the risk of fires.

Fire drills should be held on that day also, and teachers in the public schools should instruct their pupils with short talks on the dangers of fire and the simpler means of fire prevention.

The last Legislature passed a wise law, requiring that all gasoline must be stored in metal receptacles, painted a bright red, and marked "gasoline," and the observance of this law will obviate many fires, entailing loss of lives, and serious injury.

I am informed by the fire marshal, that most of the fires that occur during the months of October and November are those resulting from defective and dangerous flues in chimneys.

I earnestly hope that there will be a general observance of the admonitions in the proclamation.

ADVISES DEMOCRATS TO VOTE FOR C. C. CRAIG.

LETTER TO DEMOCRATIC VOTERS, OCTOBER 12, 1913.

On October 20, Monday, an election will be held in the Fifth Judicial District for Justice of the Supreme Court to fill the vacancy caused by the resignation of Justice Hand.

The Fifth Judicial District is comprised of the following counties: Knox, Henry, Peoria, Bureau, LaSalle, Grundy and Woodford.

The Democratic nominee is Hon. C. C. Craig, of Galesburg. Mr. Craig is a lawyer of standing, and a man of integrity. He is the son of the late Justice Craig of the Supreme Bench, and, in my judgment, he will worthily fill the place which was held so creditably and honorably by his father.

I believe it to be the duty of every Democrat, and every Democratic newspaper in the Fifth Judicial District to energetically and enthusiastically support the candidacy of Mr. Craig for this office, to which I sincerely hope Mr. Craig will be elected.

LEGISLATION FOR IMPROVING FARM LIFE.

STATEMENT TO SUCCESSFUL FARMING, OCTOBER 17, 1913.

In answer to yours of the 14th instant, would state that in my judgment legislation along the following lines is essential for the improvement of farming conditions in the State of Illinois and the surrounding states:

First. The national banks should be permitted to make loans for at least one year upon the security of farms worth at least double the value of the loan.

Second. The small school districts in farming communities should be consolidated so that the schools would be attended by from 50 to 100 pupils in each school instead of being attended by from 5 to 15 pupils, as is frequently the case.

Third. In connection with the common schools there should be established exhibition halls and gymnasiums in which public entertainments could be held for the benefit of the children and their parents in these communities. In other words, in connection with the schools there should be established social centers where lectures, stereopticons and other moral and educational entertainments could be given for the people in the farming communities.

Fourth. There should be coordination between the great universities and the township schools in the way of having lecturers from the universities to deliver lectures upon scientific and intensive farming, with practical illustrations upon the land. This could be achieved by requiring every student of an agricultural college in a university, before he receives an agricultural diploma, to write a thesis or essay upon scientific farming which would meet with the approval of the staff of the university. This should be made a compulsory part of his curriculum, and before receiving his diploma, the senior student should be compelled to deliver this lecture, with practical illustrations, in one or more of the primary schools of the State.

In this way the benefit of scientific agricultural education could be communicated to the children of farmers who might not be able to receive the higher education in the university.

Fifth. Farmers should request the distribution of pamphlets upon scientific farming which are published in the great universities of the agricultural states and evoke and direct the attention of their children to these pamphlets, and make every effort to put in force practically on the land the suggestions contained in such pamphlets.

These are among some of the things that in my judgment should be brought about by legislation and cooperation with the higher institutions of learning.

PROTESTS AGAINST ACCUSATION AGAINST JEWISH RELIGION.

TELEGRAM TO JUDGE EDWARD O. BROWN, OCTOBER 17, 1913.

Answering your of the sixteenth instant, regret to say that it will be impossible for me to be in Chicago Sunday afternoon to attend meeting of citizens protesting against blood ritual accusation in Beilie case.

No intelligent person believes for a moment that the Jewish religion calls for the sacrifice of human blood under any of its rituals. To make such an accusation, even in a court of justice in any land in the twentieth century, brands the accuser as a malignant perjurer or a gullible fool.

The wonderment is that any self-respecting court could be prevailed upon to consider seriously such an accusation.

Am in hearty sympathy with the object of your meeting, which I understand is to protest against the farcical claims being made in a so-called court of justice.

Kindly express my views as above to the meeting.

OPPOSES TEACHING SEX HYGIENE IN SCHOOLS.

LETTER TO PRESIDENT JAMES OF THE UNIVERSITY OF ILLINOIS, OCTOBER 18, 1913.

Dear Sir:

Yours of the 15th instant has been placed before me on my return from Hannibal, Missouri.

As to the first resolution proposed, to-wit: "Resolved, That it is the sentiment of the board of trustees of the University of Illinois that, as soon as feasible, a public health laboratory shall be established in the university which shall cooperate, as best it may, with all the forces now directed to combating human disease," you may record me as voting "aye".

With reference to the second resolution, to-wit: "Resolved, further, That such instruction in sex hygiene should be given in the school of education and in the college of medicine of the University of Illinois as may enable teachers in the public and private schools of the State to acquire the information necessary to enable them to give suitable instruction and guidance in this delicate and important subject," you may record me as voting "no".

Modesty is the chief charm of womanhood. The moral teachings of the Christian religion, if impressed upon the youth of the country in the home, are the surest guarantee of the preservation of chastity and moral cleanliness in the minds of the young.

I honestly fear that, if sex hygiene be taught in the schools and young boys and young girls in the open classroom are made aware of things which may be taught in the line of sex hygiene, it may create, and probably will create, in their young minds a prurient curiosity which will induce, rather than suppress, immorality and unchastity.

Personally I would not permit my young and innocent daughters to be sent to either a public or private school where sex hygiene is discussed in public, in their hearing and in the hearing of children of their tender age.

I think you can trust the mothers and fathers of the land to guard their children much better at home.

I will vote emphatically "no" upon this proposition.

WAS PLEASED TO SIGN WOMAN'S SUFFRAGE BILL.

LETTER TO MRS. P. L. DEVOIST, OCTOBER 20, 1913.

Dear Madam:

In answer to yours of the 17th, am pleased to say that it gave me great pleasure, as Governor of this State, to sign the Woman's Suffrage bill passed by the last Legislature of the State of Illinois.

This decided and remarkable step forward in the State of Illinois resulted from a sane and intelligent presentation of the rights of women to a deliberative body without bluster, violence or violations of the laws of the State.

I have long been an advocate of the rights of women to the suffrage and am clearly of the opinion that the way to bring about this great reform is by an appeal to reason and not by intimidation or violence.

I wish you in Minnesota success in your efforts to procure for the women of that state the rights of citizenship.

VALUE OF BUILDING AND LOAN ASSOCIATIONS.

ADDRESS BEFORE ILLINOIS BUILDING ASSOCIATION LEAGUE, OCTOBER 23, 1913.

Mr. Chairman and Gentlemen:

It gives me great pleasure to be your guest here today and to welcome you to Springfield in the name of the State of Illinois. The association which you represent has been long known to me and I have watched its progress with great interest. The work you are doing, and will attempt to do, has for its object conservation of the interests of a movement than which no other has done more to promote material and lasting welfare of a very great portion of the community.

It would seem that building and loan associations had their origin in England about the beginning of the eighteenth century, among the workmen in factories and mills, who had formed building societies. The movement was inaugurated in the United States in 1861 in a very humble way, but its growth was immediate and steady, due to wise and efficient management, until today there are six thousand local building and loan associations, having a membership of two and one-half million members, who own cooperatively over more than a billion dollars assets, and I believe that approximately twelve and one-half per cent of the total membership is in Illinois.

C. S. Cellarius, secretary of the National League of Local Building and Loan Associations, shows that these associations are among the most economically managed financial institutions in the world, and that, even in localities where the lending rates are comparatively low, they have no difficulty, as a rule, of declaring dividends of at least five per cent. Hence an excellent and very safe medium for the small investor.

It should not be imagined, however, that the building and loan society can assure investors of absolute safety. There have been at times mistakes and worse, abuses of management, bringing home to investing members the important fact that they are not depositors entitled to interest, but stockholders, every one entitled to his proportion of the profits, but also, liable for his proportion of the losses.

But after all, the record of these local societies is remarkably clean. Next to the carefully regulated savings banks, probably no other kind of institution is more fit to cater to the needs of the small investor.

It would be a wholesome thing to see them commanding a large part of the small savings of the Nation, to the exclusion of some of the more modern installment, investment schemes of doubtful stability.

Not only are local building and loan associations beneficial, as an incentive to thrift and conservative and profitable investments, but they are likewise essentially democratic in their influences, tending as they do to promote a strong fraternal feeling among their members. These associations should remain local institutions. A great authority on these matters, Judge Seymour Dexter, says in part: * * * "The moment these institutions become extended in the conduct of their business over large territory, that moment many of the elements of safety involved in the local association methods are necessarily eliminated, and dangerous ones substituted in their place. They are no longer building and loan associations, because no longer conducted on the methods on which these associations have won their success and grown into fame."

The usual and well known investments, customary in insurance business, such as endowment, paid up policies and loan values, in themselves, are very beneficial, but building and loan associations provide immediate returns to the investor and much of the future profits, so to speak, are enjoyed at first hand, whereas insurance regulations compel the investor to depend on future benefits.

The laws of the State of Illinois governing homestead, building and loan associations, are very benign, both to the members in their corporate capacity and as investors, insuring justice to the one and protection to the other, promoting the while equitable and just cooperation. It is not contended, however, that these laws are perfect, nor yet even closed to improvement, but in their present form they work hardships on none and serve the purpose for which they were enacted.

URGES PUBLICATION OF LINCOLN'S GETTYSBURG ADDRESS.

ADDRESS TO THE PUBLIC, NOVEMBER 3, 1913.

In connection with the exercises which the Superintendent of Public Instruction has authorized and directed in the public schools and other educational institutions of the State on Gettysburg Day, November 19, 1913, pursuant to the Governor's proclamation of October 16, 1913, it has been suggested to me, and I believe it to be a wise and patriotic act so to do, that the newspapers of the State should publish in full on that day, the brief but immortal address of President Lincoln, delivered on the Gettysburg battlefield.

Every citizen, young or old, in the State will be pleased to have called to his recollection this great address on the 50th anniversary of its delivery.

CONSERVING POWER RIGHTS AT JOLIET.

LETTER TO SANITARY DISTRICT, NOVEMBER 11, 1913..

I am in receipt of an argument signed by the Illinois and Michigan Canal Commissioners, which in substance sets out that the project of the Sanitary district to develop and utilize the water power below Joliet at Brandon road, will, if carried out, produce a water power worth $18,000,000.00 or thereabout, and that the cost of so doing would be $7,000,000.00, leaving to the Sanitary district a net profit of $11,500,000.00 or thereabout.

They also contend that, in the prosecution of said work, the Sanitary district would take from the State and destroy a water power worth, $4,750,000.00 as follows: water power at Jackson Street, $3,500,000.00; water power on Channahon level, $250.000.00; water power rights between Jackson and South Streets, $1,000,000.00. Their contention is that before the administration should commit itself to the project suggested by the Sanitary district, some arrangement should be made to compensate the State for the water power now owned by it, which they value at said $4,750,000.00.

In view of the fact that before you can succeed in carrying out your proposed project, as outlined to me, in the recent conference in the Governor's office, it will be necessary for you to carry to a conclusion the condemnation proceedings, now pending against the Public Service Company, which owns the property sought to be condemned, I have reached the conclusion that you should carry on your condemnation suit to a final examination in a court of last resort. As the condemnation suit was commenced some years ago, when the property probably was not as valuable as it is today, in my judgment, it would be a great mistake to abandon the law suit now, and be compelled to commence another suit hereafter, if the State or any arm of the government in the State should deem it necessary to acquire the water power rights and property at Brandon road.

I think that the final disposition of the question as to whether the State itself, or the Sanitary district, or the Illinois and Michigan Canal Commissioners should develop a water power at Brandon road, ought to be left in abeyance until they dispose of the con-

demnation suit. It will take some time to dispose of this litigation in court, and after the Sanitary district has acquired the property at Brandon road in question, it will be then time enough to determine whether the water power which can be created at this point should be owned and developed by the State itself, the Sanitary district, the Illinois and Michigan Canal Commissioners, or some special corporation, organized for that purpose, and upon what terms and conditions, as between the State and the corporate body, which finally conserves and created the power.

Of course, we all agree that the water power, there potentially existing, should be conserved for the public, but it is at the present time unnecessary to find and determine what particular arm of the Government should develop and utilize it.

I would, therefore, respectfully state, in my judgment, that the Sanitary district should push through its condemnation proceedings to finally determine and acquire the rights of Brandon road by condemnation, as cheaply and quickly as possible.

EUROPE, NOT ENGLAND, IS THE MOTHER COUNTRY OF AMERICA.

LETTER TO JOHN A. STEWART, NOVEMBER 18, 1913.

John A. Stewart, Chairman of the Executive Committee of the "American Committee for the Celebration of the 100th Anniversary of Peace Among English-Speaking Peoples," wrote Governor Dunne requesting him to take certain action favoring the celebration.

November 21, the Governor wrote Mr. Stewart that he was in favor of broadening the scope of this celebration. In his letter to Chairman Stewart, Governor Dunne said:

"I am, however, very strongly in favor of broadening the scope of this celebration. We should celebrate not only peace which lasted for a century between English-speaking peoples, but peace between this country and every other great nation of Europe with whom we have been forever at peace.

Why discriminate between these nations and Great Britain? Europe, not England, is the mother country of America.

I note that your Committee in Richmond is broadening the scope of this celebration so as to take in Germany, France, Russia, Norway, Sweden and other European countries. Cannot this be arranged before the committees are designated?"

January 6, 1914, Mr. Stewart wrote Governor Dunne, asking him to take the initiative with the Legislature in bringing about such action as would mean official State participation in the celebration of the "American Committee for the Celebration of the 100th Anniversary of Peace Among English-Speaking Peoples," and asking him to make some public recommendation.

Mr. Stewart, in his letter, also requested Governor Dunne to kindly increase the number of the State committee to 100 or more.

In answer to that letter, Governor Dunne sent Mr. Stewart the following communication:

January 27, 1914.

DEAR SIR: Your favor of the 6th instant requesting me to take the initiative with legislative representatives of the State of Illinois in bringing about official State participation in the approaching celebration on the 17th and 18th of February, 1915,

and asking me to appoint a State committee of 100 or more to cooperate in the celebration reached me in due course.

I did not answer promptly because I thought the matter was worthy of careful consideration, and because there are several matters in connection with this celebration which had given me considerable thought, and which I wished to discuss dispassionately with you before taking action.

Some time since I wrote you suggesting that the scope of the celebration should be widened so as to take in all the nations with whom we have been at peace for a century or over. I learn from your letter some such action has been taken. In other words, that you are to take in "France, Germany and other nations of the world." I find, however, that your committee still retains the name "The American Committee for the Celebration of the One Hundredth Anniversary of Peace Among English-Speaking Peoples," and I find, by examining the printed account of the proceedings held by the American committee, in conference December 3 and 4, 1913, at Richmond, Virginia, that your program is almost exclusively concerned with exercises and services in commemorations between this country, Great Britain and Canada, while but very little, and those, very obscure arrangements, are made for celebrating peace with the other great nations of the world.

I am in favor of celebrating a century of peace between this country and Great Britain or any country, and earnestly hope that such peace will be continuous, but it must be remembered that while we have had peace for a century with Great Britain, we have had peace perpetually with France, Germany, Russia, Sweden, Norway, Austro-Hungary, Italy, Japan, China, and most of the great nations of the world.

We have had two wars with Great Britain and none with these other countries, and the peace between the United States and Great Britain was seriously imperiled during our War of the Rebellion. "Europe, and not England, is the mother country of the United States." This is particularly true of the great State of Illinois. Within the confines of this State we have hundreds of thousands of Germans; hundreds of thousands of Poles; thousands of Swedes; a large Italian population; many thousands of Austro-Hungarians; Bohemians; Greeks and Roumanians. All of these elements are gradually being moulded into good American citizenship.

If I appoint a committee of 100 to participate in this celebration of peace, and they find that it is under the auspices of an organization whose very name indicates that it is to celebrate

"peace between English-speaking peoples," these representatives of the different nationalities who have come from all the different nations of Europe or which are descendants from those who have come from the other nations of Europe may be inclined to question why they are called upon to participate in a celebration which is limited to a celebration "among English-speaking peoples."

I, therefore, respectfully suggest that it would be wise on the part of your committee to take action changing the name of the organization to one organized for the celebration "of a century of peace" without the limitation "among English-speaking peoples." This celebration would then be a cosmopolitan celebration at which could be present, in some of the great cities of the country, the ambassadors of Great Britain, France, Germany, Russia, and other great countries with whom we have been at peace for a century or over, and the proceedings would be divested of the narrowness arising from a celebration between Great Britain and this country.

Upon the committee of 100 named by me ought to be citizens of not only English, Irish, Scotch and Welsh blood, but of German, French, Norwegian, Swedish, Russian and Italian, and other of the bloods represented in this great commonwealth.

The era for the solving of all disputes by international arbitration is upon us. I am heartily in favor of celebrating a century of peace with all nations, but I am firmly of the opinion that it ought to be so wide in character so as to embrace not only two nations, but all nations who have been at peace for a century and over.

Governor Dunne is now extremely pleased to note that the title of this organization has been changed from the "American Committee for the Celebration of the One Hundredth Anniversary of Peace Among English-Speaking Peoples" to the "American Peace Centenary Committee."

February 28, 1914, Mr. Stewart wrote to Governor Dunne requesting the Governor to write to certain Congressmen and United States Senators, urging favorable consideration of a measure to appropriate $100,000 for the expenses of a commission of several members to be known as "The Peace Centenary Commission."

Complying with that request, Governor Dunne on March 3, 1914, wrote the following letter to Hon. John J. Fitzgerald, chairman of the appropriations committee of the House of Representatives, and to certain United States Senators:

March 3, 1914.

Dear Mr. Fitzgerald:

I am requested by Mr. John A. Stewart, chairman of the American Peace Centenary Committee, to write to you, requesting your favorable consideration of House Bill No. 9302, introduced by Hon. Charles Bennett Smith, carrying an appropriation of $100,000 for the payment of expenses of a commission of seven members to be known as the "Peace Centenary Commission."

The American Peace Centenary Committee was originally organized and called "The American Committee for the Celebration of the One Hundredth Anniversary of Peace Among English-Speaking Peoples."

They wrote letters to a great many people in public life, including myself, soliciting our support in the movement. When they wrote me I answered, stating in substance that I was in favor of the celebration of a centenary of peace between this Nation and Great Britain, and all other countries, but that I saw no good reason why they should have selected simply the English-speaking peoples nations as those to whom the celebration should be confined.

I reminded these gentlemen that this country has had eternal peace with the great German nation, with the great French Republic, Norway, Sweden, Italy, Austro-Hungary, and most of the great nations of the world. That not only had we eternal peace with the French Republic, but that the French people had enabled us by their assistance and support, at a critical time, to become a nation.

I pointed out to them that the best brain and brawn of Germany, France, Sweden, Russia, and other great nations had contributed to the upbuilding of this great cosmopolitan Nation, and that "Europe, not Great Britain, is the mother country of America," and suggested that their celebration was too narrow in its avowed objects, that the very name of the association indicated that it was to be a British-American celebration, and that the program agreed upon seemed confined to the glorification of peace between Great Britain and this country, to the exclusion of all other nations.

In answer to my letters to them on this line they now announce that they have changed the name from "The American Committee for the Celebration of the One Hundredth Anniversary of Peace Among English-Speaking Peoples," to "American Peace Centenary Committee," which I am glad to approve. They have also announced in their literature that they intend to make the celebration cosmopolitan in its character.

Upon this understanding I cheerfully recommend the making of an appropriation for the purpose of celebrating a century of peace between this country and most of the great nations of the earth, and that the bill, in my judgment, should mention the names of the other countries, as well as Great Britain, and that the bill should provide that the funds should be expended for a cosmopolitan celebration in which the ministers and ambassadors of all the countries of Europe and the Orient should be invited to participate.

I had much pleasure in meeting you in Washington recently, and think that you will agree with me that the above suggestions are wise and prudent.

BISHOP JOHN L. SPALDING.

LETTER TO PEORIA KNIGHTS OF COLUMBUS, NOVEMBER 20, 1913.

The press of public business here in Springfield will prevent my being present at the banquet to be given by your organization in honor of the Golden Jubilee Celebration of the Most Reverend John Lancaster Spalding, Titular Archbishop of Scitopolis, on next Monday.

In common with thousands of my fellow citizens, I have always had intense admiration for Bishop Spalding not only as an ecclesiastic of our church, but as a citizen of the Republic. His sympathies, public utterances and public writings on civic matters have ever and always sounded true in their advocacy of popular rights. His sterling democracy has endeared him to all who believe in the rule of the people.

His labors for education and religion have accomplished wonders in Peoria and throughout the land. I hope and trust that his life may long be spared to continue the splendid work he is furthering in education, religion and patriotism. Love of God and love of country has always manifested itself in everything he has said, done and written.

I regret exceedingly that I cannot be personally present and participate with you in doing him the honor he so well deserves.

UPON THE CONDITION OF STATE TREASURY.

STATEMENT TO THE PUBLIC, DECEMBER 9, 1913.

Upon my return from Washington, I find in the public press of December 3, a statement by former Governor Deneen, in answer to the statement issued on November 29 by the State Tax Commission of this State, in which it is pointed out that, by failure to fix adequate tax rates in the year 1911 and 1912, the State Tax Commission of the last administration created a deficiency between the amount ordered by law to be raised and the amount actually raised by taxation of $5,424,730.

In this statement of Governor Deneen, he does not deny these facts but attempts to muddy the waters by declaring, "That there was on hand in the treasury on January 1, 1913, a cash balance of $4,258,664.21, and in the various State institutions $1,012,546.39, making a total of $5,271,210.60."

Why he should select January 1, 1913, as the pregnant date upon which to show the condition of the public treasury, I cannot understand. Why did he not take February 3, 1913, that being the date that Mr. Mitchell, former Treasurer, turned over the money in the treasury to William Ryan, Jr., the present State Treasurer. On that date, February 3, 1913, Mr. Mitchell turned over to William Ryan, Jr., the present incumbent, $3,564,689.49, against which there were outstanding on that date $904,293.05 in warrants actually issued by his administration, leaving a net balance on that date in the treasury of only $2,660,396.44, against which there remained on that date a balance of unexpended appropriations made by the Forty-seventh General Assembly of $8,234,853.88. Moreover Governor Deneen does not state that, during the month of January, 1913, he signed requisitions for funds for H. A. Haugin, Treasurer of the University of Illinois, aggregating $958,158.08.

In other words, when Mr. Deneen, former Governor, Mr. Mitchell, former Treasurer, and Mr. McCullough, former Auditor, stepped out of office there was only $2,660,396.44 in the treasury over and above outstanding warrants, most of which outstanding warrants, amounting to $904,293.05 were presented for payment within a few days. This balance, $2,660,396.44, was all that was

left in the treasury to take care of liabilities created by appropriations, then in existence and unpaid, aggregating $8,234,853.88.

Moreover in addition to this lamentable condition of the treasury, the Forty-eighth General Assembly found, upon assembling, that it was necessary to enact deficiency appropriation bills to cover liabilities incurred prior to that date by the Secretary of State's office, Board of Contracts, Treasurer's office, Auditor's office, and Live Stock Board, aggregating $500,000.00 or thereabout.

AGAIN OPPOSES TEACHING OF SEX HYGIENE IN SCHOOLS.

ADDRESS TO THE ILLINOIS STATE TEACHERS' ASSOCIATION, DECEMBER 29, 1913.

Mr. Chairman, Ladies and Gentlemen:

It gives me much pleasure, as the Governor of this State, to address a few words of welcome to the hard-working teachers of the Illinois State Teachers' Association, and to wish from my heart that their deliberations and discussions, during the present meeting, will be fruitful of good results, not only to the teaching profession, but to the children, pupils of this State.

Yours is a profession of the utmost importance to the community. The fathers and mothers of this State are placing under your control, for their development and education, the children whose future is a matter of the utmost importance to the parents.

If wisely and effectively instructed, both from the material and moral standpoint, their children will develop into useful citizens of the community. If instructed in a haphazard and inefficient manner, these children will not become as useful citizens as though well instructed.

Yours is a profession calling for patience, self-abnegation, constant industry, intelligence and tact, without the larger remuneration which is often the return in other professions. Necessarily you are men and women of intelligence and of good education. Otherwise you could not fill the positions that you now occupy, and yet the rewards for your intelligence and education in your profession are frequently not the rewards that follow the prosecution of other professions.

I have always had a warm spot in my heart for the teachers of this State, since the time that I found, when I was in public office, that they were among the most aggressive and intelligent leaders of public thought on the great questions of the day. When I was mayor of the city of Chicago, I had with me, in sympathy of action, the teachers of that great city, in the effort to bring about reforms of momentous importance.

I do not pretend to be at all familiar with pedagogic science, and I have no doubt, if I were able to spare the time to attend all the deliberations of your conference, that I might be most intelli-

gently instructed upon the science of teaching, but the press of public business will debar me from availing myself of the opportunities that might be presented by attending these conferences.

I have but a few words to say upon a topic, which, by reason of my official position, I have been compelled to express myself upon within the last few days.

As ex-officio trustee of the University of Illinois, one of the greatest institutions of learning in the Northwest, I have been called upon to record my vote on the question as to whether or not the university should provide in its curriculum for a series of lectures or a course of instruction which would enable the teachers of this State to teach sex hygiene to the pupils of the State.

On this question I hold firm views as a husband and father, which I think it will not be amiss for me to state to this conference.

If the teachers of this State are to be prepared for the giving of lectures or instructions upon sex hygiene, it contemplates inevitably that such teaching will be given to those whom they are to instruct. Those whom they are to instruct are almost without exception children of tender years.

Owing to the splendid laws which have prevailed for years in this State favoring education for the young, we can proudly now boast that illiteracy among adults is almost unknown. You know, and I know, that the pupils that you are teaching, and will teach, are children in the grammar schools between the ages of 6 and 15 years.

The proposition to teach these young children in open class the secrets of sex hygiene, the methods of reproduction of the species, the mysteries of the organs of generation, is, to my mind, as a husband and a father, a horrible mistake. The teachings of the Christian and Jewish religions inculcate chastity and modesty.

Modesty is the crowning glory of girlhood and womanhood, and the teaching of such subjects, even in the most chaste and guarded language, in open classroom where children between the ages of 6 and 15 years are gathered together, in my humble judgment, will rob girlhood of its modesty and boyhood of its decency.

There is a time in the life of the young boy and girl, when that boy and girl should be warned of the dangers that follow from undue intimacies between the sexes, and a place for such instruction. That time is when that boy or girl is about to leave parental control, and the place is in the quiet of the home where the father or mother can address his child in private, and open to his view the dangers that may result from intimacies between the sexes.

To talk out in the open in the public schools, in the presence of girls and boys of the same age, in my judgment, will not be productive of protection to the young, but will, on the contrary, induce at that age a prurient curiosity for further information which the children will procure in a way that violates all modesty and decency.

In my view, the teaching of sex hygiene should come direct from the parents of the child, at that age when such instruction becomes absolutely necessary, and should not be committed to any one else, particularly to a teacher in the open classroom. I favor instruction upon sex hygiene to the mothers and fathers of the land. I favor the printing of pamphlets and treatises and that they be placed in the hands of fathers and mothers of the land. I favor education of the parents to impart this knowledge at the time and under circumstances when it becomes absolutely necessary. This can be done without violating the rules of modesty and decency. The teachers of the State have enough in their curriculum at the present time to fully occupy their time, and to place upon their shoulders the responsibility of imparting sex secrets to children in the open classroom, in my judgment, would be a blunder and mistake.

Again let me wish you the successful and fruitful conference. My earnest good wishes go out to the teachers of the State of Illinois.

ON THE OPENING OF THE NEW YEAR.

STATEMENT TO THE PUBLIC, DECEMBER 31, 1913.

The new year opens auspiciously.

For years an agitation has been carried on throughout the country for the reduction of the tariff upon imports, which agitation has kept business in an unsettled condition.

Within the last few months the new tariff law reducing the tariff on most imports has been placed upon the Federal statute books. This was done after mature deliberation, and with full notice to the community. Now business can adjust itself to the requirements of the new law, and business men can develop their enterprises upon the basis of that new law.

Financial panics heretofore, resulting from the inelasticity and stringency of the money markets, has occasioned widespread financial distress.

The new currency act, just placed upon the Federal statute books after mature deliberation and ample opportunity for discussion, as the result of which many concessions were made to meet the requirements of banking, has now become crystallized into law, and the effect of this law, it is even conceded by bankers, is to provide against the inelasticity of the currency which has heretofore been the cause of such panics, and will provide means and methods for avoiding most of these financial troubles.

We are at peace with the world.

The course of the administration in dealing with the Mexican question indicates that we cannot be provoked into a warlike controversy with our sister republic of the south.

The Mexicans, owing to their unfortunate internecine warfare, have well nigh reached the limit of endurance. Peace will soon again come to this unhappy land. In any event there is no likelihood of war between Mexico and the United States.

Fortunately we are more than ordinarily free from the struggles between capital and labor. In the Calumet region alone is there disorder and discontent. Let us hope that both sides to this controversy will soon display the spirit of conciliation and concession, and put an end to this unfortunate blot upon the industrial situation of the day. It is high time, unless they show disposition so to do, for a thorough investigation to be made as to the causes of this controversy, and vigorous effort should be made to adjust the trouble.

ON THE ADMINISTRATION OF PRESIDENT WILSON.

ADDRESS TO DEMOCRATIC STATE CONVENTION, SPRINGFIELD, 1914.

Fellow Citizens:

At the invitation of the Democratic State Committee it gives me great pleasure to be with you today and discuss some of the important issues of the present campaign.

The present Democratic Congress, I believe, has given the finest exhibition of unswerving duty and loyalty to public interest of any Congress in history. Since the fourth of March, 1913, the members of the Senate and House of Representatives, at the call of our great patriotic President and leader of the Democratic party, have remained in continuous session, loyally upholding the hands of the President in carrying out the great reforms pledged by the Democratic party during the campaign of 1912.

Throughout the long, hot, trying months of midsummer, when the rest of us were endeavoring to take a little respite from the heat and prostration incident to an American summer, our brilliant, eloquent and industrious Democratic Senator and Democratic Congressmen from this State, at the call of the President, with great personal discomfort, and often at great risk to their health, remained at Washington, crystallizing Democratic pledges and Democratic policies into national law.

Never was more loyal support given to a President by his party than has been the support given by our representative, Senator Lewis, in the upper House, and by our splendid representatives in the lower House of Congress. Today and during the whole of this campaign those loyal friends of the people remain in their seats in Congress, neglecting their own interests of reelection for the benefit of the people. Under such circumstances, and at such a time, it behooves therefore every Democrat who believes in the policies of President Wilson and the Democratic party to do all he can to secure the election of our Democratic candidates for the Senate and the lower House.

The Democratic party has been enthroned in power in Washington and throughout most of the states for the last eighteen months, and today that party presents a record to the people for

its approval or disapproval. What the verdict will be, I believe admits of no doubt. It is a record of achievement seldom displayed by any party in so short a period. When the Democratic party, under President Wilson, took office on the fourth of March, 1913, it was confronted with the following situation:

First. In Mexico there were commercial and industrial disturbances and war inviting international complications. A usurper whose only credentials were the assassination of a duly elected president, demanded recognition as the accredited ruler of the nation and a Republican administration were inclined to give him such recognition.

Second. There was a long standing demand ignored by Republican administrations for an income tax law, which demand was overwhelmingly reiterated at the election in 1912.

Third. An imperative demand for reform currency legislation, long promised and never given by Republican administrations.

Fourth. The public demand for a consistent revision of the tariff downward, oft promised but never given by Republican administrations.

Fifth. An uncertain and unfortunate condition of the law and administration of same in dealing with the evil practices of big business, and a futile effort to control the trusts and monopolies of the country.

To these were added within recent months tremendous and unexpected problems arising out of the awful European war which interrupted and deranged industrial production, commerce, finance and ocean transportation throughout the world. How have these complications been met during the eighteen months of the Democratic administration? Mark the result.

First. The Mexican situation has been dealt with in a spirit of firmness, with justice, and without bluster. We have avoided war without compromising our dignity as a great nation, conserved American blood and treasure, avoided international complications and set the Mexican people well on the road to a new era of peace and constitutionally organized government.

Second. An equitable income tax law has for the first time been placed on the statute books, and is being impartially enforced, thus securing from the wealthy and powerful, for the first time in American history, reasonable and proportionate contributions to the burdens of government.

Third. A currency law that meets with practically universal approval enacted and now in process of being put into effect, cordially assented to by the bankers and the whole community.

Fourth. Antitrust laws are being enforced with a single eye to ending bad practices, not merely for the sham-battle purpose of

"making a record," and new legislation to correct obscurities and inconsistencies in the old antitrust laws.

Fifth. Dollar diplomacy in the State Department has been abolished by our great Secretary of State, and the doctrine of human rights substituted therefor.

Sixth. We have revised the tariff downward on the necessities of life pursuant to our campaign pledge of 1912.

Seventh. The dangerous and insidious lobby which has haunted the halls of Congress for decades past has been driven out of the Capitol.

Eighth. The Panama Canal has been completed and opened to the commerce of the world.

Ninth. By law, the great national treasure house of Alaska is being opened up and nationally-owned railroads authorized and a survey therefor begun.

Tenth. Popular election of United States Senators has been made effective.

Eleventh. Two great railway strikes have been averted by arbitration and the coal strike settled.

Twelfth. The telephone and telegraph trusts have been dissolved.

Thirteenth. The parcel post has been extended and made cheaper to the people.

Fourteenth. Express rates and charges have been reduced as the result of national competition.

Fifteenth. More remedial labor legislation has been enacted upon request of laboring men than was ever enacted by all previous Republican administrations.

Sixteenth. The problems and situations suddenly arising from the European war have been met firmly, promptly and patriotically. The country has been preserved from a financial crisis. War insurance for American cargoes has been provided, and legislation has been enacted that will re-create the American merchant marine and again place the American flag upon the high seas of the world.

Thanks to the prompt and intelligent action of a great peace-loving President and his peace-loving Secretary of State, we remain at peace with all the world. We have laid the foundation for bringing about peace between the warring nations and we have successfully consummated as a standing monument to the constructive genius of the Democratic party, twenty-five treaties of peace and arbitration between this Republic and twenty-five other nations, comprising within their boundaries over two-thirds of the population of the globe.

This is the record of eighteen months of a Democratic administration. Where in the history of American Presidents can we find so extraordinary a record in so short a time?

In addition to these accomplishments, the President and the Democratic Congress are now engaged seriously, studiously and conservatively in amending the antitrust legislation of the Nation in such a way as to protect legitimate industries against the curse of monopoly.

Upon this record the Democratic party stands and asks the approval of the people of the United States. The Democratic Congressmen of this State unselfishly remain at Washington, leaving the verdict to your just and impartial consideration.

A vote for our candidate for the United States Senate and the Democratic candidates for Congress is a vote of endorsement of the President. A vote against them is a repudiation of this splendid record of the Democratic party.

Two years ago you placed in power in the State and in the Nation President Wilson and your Democratic representatives in Congress. After eighteen months of constant session they have placed before you this record. Can there be any doubt in the mind of any clear-minded citizen, no matter to what party he may belong, as to what should be the verdict of the people?

Do you favor revision of the tariff downward? If so, the Democrats have revised it downward. Already in wholesale prices the effect of that tariff is being felt, and long before the next Presidential election retail prices will demonstrate the efficiency and wisdom of that revision downward.

Do you favor the imposition of an income tax? Nearly every civilized country on earth has such a tax, and yet the Republican party for sixteen years had prevented the enactment of this wise and just law. If you favor an income tax, the Democratic party, for the first time in American history, has placed it effectively upon the statute books. The income tax law is a law which compels the rich to pay their fair share of the burdens of running the Government. Why should they not?

Do you favor legislation which will abolish financial panics? If so, the Democratic party has given it to you. For one-half century under Republican rule, we have been periodically visited with financial crashes as the result of an unwise and unskilful condition of the currency laws, under which the bankers of Wall Street concentrated all the wealth of the country in the hands of a few. The new currency law enacted by the Democratic party is admitted by the bankers themselves to be of so wise and comprehensive a character as to prevent the concentration of this wealth in the future as it has been in the past, and permits the bankers of the country to obtain relief in case of stringency by pledging their assets in the hands of the general Government.

During Republican administrations the great financial powers were in the habit of making loans to the smaller nations and in forcing the collection of these loans by Federal gunboats. This utilization of governmental power as a debt collecting agency has stopped. Human rights instead of dollars are now the interests protected by our Department of State.

For decades past, under Republican rule that party and its representatives have been coerced and intimidated by the great interests into passing laws favoring gigantic corporations and combines. For that purpose these great interests during Republican rule have maintained permanently in the Capitol a dangerous and insidious lobby, which has exerted tremendous and malign power upon the law-making machinery of the Republic. That lobby the Democratic party has driven from the Capitol, and exposed to the sunlight of investigation. The third House has been abolished, and I trust forever.

Under Republican rule it was the policy to permit the natural resources of newly developed territories to be given away and monopolized by the great interests or to tie them up so as to place them beyond the reach of ordinary settlers. The Democratic party has compelled a change in this procedure, particularly in reference to the tremendous riches lately discovered in Alaska. It has moreover authorized the building of the first nationally owned railroad to develop and lay bare those great riches for the common use and benefit of all prospectors and settlers, and today American engineers are penetrating into the interior of Alaska, laying out the line of that great railroad.

Under Democratic rule we have made effective the popular vote for United States Senator. The last senatorial deadlock has taken place in the State of Illinois. The people have been given the right to vote directly for their Senators and no more will we hear of the scandalous intrigues which have heretofore frequently disgraced the different states in the election of United States Senators.

But above all the things accomplished by the Democratic party has been the preservation of peace between this country and all other nations.

When the Republican party went out of power there was a very difficult and delicate situation existing between this Republic and the Empire of Japan, which it was feared for a time might develop into warfare between the nations. Our great Secretary of State has so conducted the diplomacy of this Government in dealing with Japan that all danger of war has now been averted and a good will and harmony exist between the two countries.

In Mexico, internal war was raging and private property interests of great magnitude were demanding the recognition of a usurper and assassin to the furtherance of their own selfish interests. To the credit of this country President Wilson took the stand that no government which had been erected upon the ruins of constitutional government by the weapons of assassins should receive recognition as a de facto government, and when uniformed Mexican bravos imprisoned our marines without justification and flouted our flag, he refused to be forced into a declaration of war with a sister republic, even though that sister republic could have been crushed like an eggshell by our armed forces.

Wisely and prudently he avoided war. He seized a maritime port of Mexico and held it until time could be given to that distracted republic to compose its affairs and then apologize for the injury done. To seize this port in the assertion of dignity of the American flag and to hold it until a proper amend could be made has averted a great war, and has cost the United States but $6,000,000.00.

Contrast this, my friends, with the spectacle of events now presented to us in Europe. Day after day the unfortunate nations now engaged in this insane war are spending $50,000,000.00 a day, and at least 500,000 corpses are now buried in trenches upon the battlefields as a tribute to the Moloch of war. Half a million of widows and orphans are being deprived of their means of support, and the end is not yet.

Thank God, during the last six months we have had a man in the White House who was a disciple of the Prince of Peace.

Let us now turn to the Democratic administration of the State to see what it has accomplished and whether or not it has been loyal to public interests and faithful to the trust reposed in it.

Although you elected a Democratic Governor by the huge plurality of about 125,000, a Republican gerrymander of legislative districts, made when they held absolute control of the law-making power of the State, prevented you from obtaining a legislative majority in either House of the Legislature. Nevertheless, a Democratic Governor pressed upon both Houses many great reforms demanded by the people, and by demanding a record vote thereon succeeded in getting most of these reforms into the statutes of the State. The Governor in his inaugural message recommended the following reforms which are now a part of the law of the land:

First. Ratification of the amendment to the Federal Constitution providing for the election of United States Senators by the direct vote of the people.

Second. The creation of a public utilities act under which a commission has complete and absolute control of the great public utilities of the State, and is enforcing rules and regulations for the thorough portection of the people.

Third. Placing upon the statute books an act permitting every city in the State of Illinois to own or operate or lease public utilities of any and all descriptions.

Fourth. The employment of convicts in building public roads. Pursuant to this act such convicts are now being generously utilized in upbuilding the State highways.

Fifth. The founding of an epileptic colony for the care of these unfortunates.

Sixth. The rotation of names upon the ballot for all State officers.

Seventh. The creation of a legislative reference bureau for the collection of data on economic and sociological subjects for the purpose of furnishing complete information to the people and to members of the Legislature upon all legislative topics.

Eighth. The creation of an Efficiency and Economy Committee that has been assiduously engaged in devising methods for the consolidation of State departments and commissions and procuring retrenchment of expenses.

Ninth. The placing upon the statute books of a practical road-making law in the State of Illinois, under which we are now vigorously engaged in the upbuilding of the roads of the State.

Tenth. The enactment of a law requiring the semimonthly payment of wages and salaries by all corporations in the State.

Eleventh. The abolition of the frauds and scandals in the fish and game department, and the consolidation of these departments so as to give sufficient fish and game protection.

In addition to the above the present administration has enacted and is now enforcing an excellent workmen's compensation act, which provides for definite reward to injured employes.

It has amended the mechanics' lien law so as to give a subcontractor a lien on a building for labor and material furnished.

It has enacted laws providing for greater safety in mining operations, and has further developed the establishment of rescue stations to relieve miners from the dangers incident to that great industry.

It has enacted a law permitting the organization of corporations for loaning money by wage assignment and limiting the rate of interest or compensation therefor.

It has placed upon the statute books a law which requires the owners of coal mines, mills and foundries and other work-shops

to maintain sanitary washrooms, convenient to the place of employment, for the use of employes, and passed many other laws in the interest of the whole people.

It has, moreover, changed the whole course of treatment for the wards of the State. In the penal institutions, reform and not vengeance has been the watchword.

Under the Democratic administration in the charitable institutions of the State extensive building operations are now in progress, which will provide adequate room for the patients and proper accommodations for the employes.

It has humanized and civilized the State institutions of Illinois by abolishing corporal punishment in all those institutions having to do with the care and training of children by abolishing all mechanical restraint and all brutality in the handling of the patients in the State hospitals, and by adopting and instituting the eight-hour system for the benefit of the employes.

My fellow citizens, consider these facts. Take them home with you. Appeal to your own conscience, and ask yourselves if such a glorious record made by a Democratic President and a Democratic party should not receive the commendation and support, not only of Democrats, but of all fair-minded citizens. If you think it does, and I know you will, you will see to it that that splendid record is sustained by going to the polls next month and voting for the Democratic nominees who are pledged to support President Wilson—Mr. Sullivan for the Senate, and the Democratic candidates for the House.

I further trust you will vote for your Democratic nominees for the State Legislature and assist a Democratic Governor to place upon the statute books the measures demanded by the platform of the Democratic party in Illinois.

SHELBY M. CULLOM.

ADDRESS BY GOVERNOR AT MEMORIAL SERVICES IN HOUSE OF REPRESENTATIVES, JANUARY, 1914.

Man dies but his memory lives. His material part dissolves and decays; his spiritual and intellectual elements survive and endure.

All that was mortal of Shelby M. Cullom lies before us helpless and inert. The spiritual and intellectual record of his past lies before us vigorous and forceful.

It falls to the lot of few men to have their lives so long and so prominently woven into the history of his state and country as was the life of Senator Cullom.

To fewer still does it fall to leave behind him after such a life so fragrant and wholesome a memory. For over half a century he held public office continuously down to the hour of his death.

During that half century parties were born and died, policies of government changed, leaders rose and fell, party ties were broken and realigned, and during that half century this man living continuously in one small county, by his force of character, lovable disposition, and above all, by his irreproachable integrity, secured and retained the confidence and respect of the people of a great State, who kept him amidst all the vicissitudes of political warfare in positions of the highest dignity and responsibility.

His was not the blazing light of the flaring comet which dazzles the eye and soon is lost in darkness, but the steady, sober light of the heavenly star which shines throughout the long years with unvarying purity and splendor.

The secret of Senator Cullom's marvelous hold upon his fellow citizens is easily understood. No man has ever succeeded in retaining the confidence of the public for any great length of time unless the public were convinced of his integrity.

Brilliant men have arisen in public life in this and every other country by sheer force of their intellectual strength. For a time they have succeeded in arousing and holding the admiration of their fellow men, but no man, however brilliant he may be, has ever succeeded in keeping himself in positions of public trust and honor unless he had that first essential of a successful statesman, inbred honesty.

If a flaw be found in the armor of that integrity, the people will drive such a man from public life. Jefferson once said, "That the whole art of government consists in the art of being honest," and that is the reason, in my judgment, why Senator Cullom was so adept in the art of government.

I knew him not, personally. I differed with him, as many have, on political issues. I believed his party erred repeatedly, and that he erred with his party, but as I look over his long career I cannot find a time when I ever believed that he was dishonest in his votes, or in the advocacy of his party principles.

All men in public life are subjected to fierce criticism by their political enemies, and he did not escape it. Most of this criticism is, as a rule, unjust, and actuated by party rancor, but no critic that I have ever read or heard during the one-half century of his political life ever questioned Senator Cullom's integrity.

For thirty years he was a member of an exalted body of legislators, where opulence was the rule and a moderate competency the exception. He had before him the temptations thrown around every man in public life. He became intimately acquainted with the ease and luxury which wealth produces, and which makes other men envious of such possessions, and yet this man lived and died comparatively a poor man, which is the best test of integrity and devotion to duty.

May this life of integrity which he led and this reputation which he leaves behind him be an incentive to the public men of the day, and of the days to come, to devote their lives as he did to their country's welfare, without price or reward, except such as is given by the law of the land.

His friends and relatives have the consolation of knowing that he left behind him a heritage greater and grander than all earthly riches—the heritage of an honest name and a record of duty done.

The State of Illinois numbers among its illustrious sons the names of many whom history would record among the Nation's great. The name of Lincoln is titanic. The names of Douglas, Yates, Oglesby, Logan and Altgeld will go down in history, not only among the great men of Illinois, but among the great men of the American Nation, and in the long roster of the names of which Illinois feels proud, and which she has given to the American Nation let us now record, as he sleeps in his grave, the name of Shelby M. Cullom.

PROGRESS IN ILLINOIS' CONSERVATION.

STATEMENT FOR LESLIE'S ILLUSTRATED WEEKLY, 1914.

Illinois is the richest chamber in the heart of the corn belt. Twenty-third in size among the states of the Union, it is first in agricultural wealth and production, third in population, in mineral wealth, and in manufacture.

The Illinois farmer has learned, not only how to produce great crops, but how to continue to produce them; in other words, to make the agriculture of the State permanent.

In 1912, the corn crop of Illinois was worth $108,827,882. The hogs marketed brought $15,005,254, the beef cattle $20,806,811. The value of the dairy herds and the milk sold in 1912 amounted to $17,877,563, while over four million dollars jingled their welcome way into the pockets of the citizens of the State from the sale of cream and butter. Apples, oats, rye, truck gardening, all contributed to swell the agricultural wealth of the State to its grand total of $3,903,321,000. What this means one hard fact proves; in 1900, the shrewd investor looking for a chance to double his dollars, was willing to pay on an average $46.17 an acre for Illinois land. A decade later an acre of this same land looked to him worth $95.02.

Evidently the Illinois farmer is not snatching from the soil the fertility meant to last for generations. Intelligent farming, which means farming in as well as farming out, is beginning to be regarded in a very definite and large way as a matter of public duty as well as private policy.

Phosphorus and nitrogen are being restored to soils that the worn out conditions of many farm lands in the east may never be duplicated here; limestone is being used extensively to sweeten acid soils, and lands hitherto thought worthless are yielding up to seventy bushels of corn per acre by the addition of the single element, potassium.

Therefore, wealth in farm resources is not alone the condition in Illinois. There is wealth in resources plus intelligence in their conservation.

The same reasonableness, willingness to accept the responsibilities of riches as well as the pleasures, marks the policy of the

State in other lines than agriculture. A few years ago there was established a State Geological Survey which makes an inventory of the developed and undeveloped mineral resources and acts as a free information bureau for land owners and investors. Thus a prospective buyer hardly can get cheated in a mine investment, notwithstanding his willingness. Also in the mines, Illinois not only provides work for 100,000 men, she provides protection for them. Illinois is the only State to have mine rescue stations, where mine rescue cars are always in readiness to respond to a call for help within the districts they cover. In 1911 the minerals produced in Illinois exceeded in value $145,524,000.

In manufacturing interests Illinois is the most important State west of the Alleghenies. The gross value of the products of manufacturing amount to $1,919,277,000 yearly. There are over 18,000 manufacturing establishments, giving employment to 561,000 persons, and, during the year 1909, the sum of $364,768,000 was paid out in salaries and wages.

Probably nowhere does education come more easily to the youth than in this State where Lincoln longed with solemn passion for knowledge and obtained it so hardly. It is as if the denial of that great soul were projected into wood and stone. The rural schools, so often doomed to shameful neglect, are receiving their share of attention, and are being forced to fit themselves into the life of the times. At present there are rural schools and rural township high schools that are models of their kind. They teach the boy agriculture, the girl household science. Understanding kills apathy and no more do they find their daily tasks dull drudgery. Nor will such education in the least interfere with the development of some potential Milton or Romney; and should one appear that should hitch his chariot to a star, his harness will not be nearly so likely to break, if he has an understanding of life's every day work.

At the apex of the educational system is the State University which offers almost limitless opportunity to the youth of ambition and ability. Nor does the university confine itself to the campus. It has gone out into the life of the people in no uncertain way. As an instance, there is the soil survey which is making a survey of all the soils of the State. When it is completed, a farmer, merely by writing a letter, can find out the condition of his soil and what it needs for increasing and making permanent its productivity.

Also the State Water Survey, located at the University, is noteworthy. Water from any place in the State is analyzed and advice given, if it is unfit for use.

Illinois has a State Highway Commission, which means that the people are interested in good roads. Good roads are essential to the advancement of a people.

Few states exercise more complete control over transportation matters than Illinois. The Illinois Public Utility Commission now exercises as much power in Illinois as the Interstate Commerce Commission exercises over interstate commerce.

In the care and conservation of its wage earner, those humble toilers upon whom this great prosperity depends, Illinois has shown humanity and foresight. There is an occupational disease act, the first of its kind in the United States; there is a workmen's compensation act, a ten-hour day for working women and intelligent child labor legislation. The State Board of Health has a laboratory created and maintained for the early diagnosis of communicable diseases. It offers service without cost to the people of the State and affords early and accurate diagnosis in cases of diphtheria, typhoid, tuberculosis, and contagious or infectious diseases.

Mention should be made of the intelligence the State has used in the care of its unfortunates, its human waste that unheeded will finally clog progress. A single instance is sufficient, the recent establishment of a Psychopathic Institute for the education and training of State hospital physicians in nervous and mental disorders and symptoms, and the investigation into the causes of insanity, with the purpose of discovering cures for forms of insanity now deemed incurable. Thus one of the evils that has come with the good of our high tension civilization will be eradicated or ameliorated, if science can do it.

After this it need hardly be said that as a place of residence Illinois cannot be excelled. Wealth and the intelligent use of wealth, a quickened and enlightened public conscience, a wholesome and enthusiastic belief that the good in our community life far outweighs the evil, will make it a more desirable home-place with every passing year.

ON THE OWNERSHIP OF PUBLIC UTILITIES.

ADDRESS BEFORE MEN'S CLUB, ENGLEWOOD, JANUARY 12, 1904.

Mr. Chairman and Gentlemen:

In recent years perhaps no subject has engrossed so much of the attention of the public in great cities of this country, and in Chicago particularly, as the question of the ownership and operation by the public of public utilities. By these I mean street cars, gas works, electric light plants, telephones, telegraphs, railroads and other enterprises the operation of which requires the possession and use of public property.

No subject is of more vital interest to the inhabitants of cities, who are compelled, day by day and year by year, to make use of and pay for these utilities, whether they like them or not.

A resident of a city may dicker, bargain with and change his butcher, his baker, his haberdasher, his tailor, his lawyer, and his doctor, if he is not satisfied with his services or his charges, but when he comes to pay his street car fare, his electric light or telephone bill there is room for neither dicker, trade nor change. He must stand up and deliver, no matter how unreasonable the charge or unsatisfactory the service.

If he objects to the street car service or its price, he is thrown off the car. If he demurs to the service or price for gas or electric light, it is shut off. If he criticises his telephone bill his 'phone is pulled out. He has learned by experience that individual protest or objection is unavailing.

The existence, in this community and elsewhere, in cities, of grave and scandalous abuses, both in the service given and the prices charged for such utilities, and the recognition by thousands of the utter helplessness of citizens, as individuals, to help themselves or correct these evils, which have become over-burdensome and intolerable, have brought about in many of the great cities of the world a great unrest and public agitation for the correction of these intolerable evils.

THIS IS THE SITUATION IN CHICAGO.

In this city today a citizen is charged from $40 to $175 for the annual rent of a telephone, and the service is not overgood at that. The same service is given in Stockholm, Sweden, for $20 a year, on the average; in Christiana, Norway, for $22 a year, on the average; in Trondhjem, Norway, for $13.50 a year, on the average; in Berne and Zurich, Switzerland, for $10 and upward; in Berlin, for $36 per annum; in Copenhagen, from $27 to $48, and in Paris, France, for $78.

In Chicago today we are paying $1 per thousand feet for gas, which has been sold to the citizens of Hyde Park, in this city, up to three years ago, for many years past, for seventy-two cents per thousand.

The city of Glasgow is charging fifty-two cents for the same kind of gas, and the average price charged by all cities in England operating municipal gas plants in 1897, was only seventy-five cents, upon which price the municipalities netted eighteen and one-third cents profit, making the gas cost the consumer only fifty-six cents net.

In Chicago today electric light companies charge from $105 to $125 per annum per arc lamp. They are empowered by law to sell electric light to private consumers all over the city, while the city, which can not sell light to private consumers, but can only produce such light for municipal use, is producing the same for $99 per lamp.

The city of Detroit is producing the same light for $61 per are light; Aurora, Illinois, for $50; Elgin, Illinois, for $50, and Bay City, Michigan, for $52.

In Chicago today the shortest ride a man can take on the street car costs him five cents, and then he rides a great part of the way hanging to a strap, most of the time in a dirty car, and always during the rush hours, jammed, jostled and jolted about in a manner that is irritating to his fellow passengers and indecent to the gentler sex.

The fare paid in other great cities of the world, outside of the United States, is about half of this amount.

In most other American cities a citizen is charged the same price for the same reason, to-wit, because the service is in the hands of private companies.

This state of facts and figures in Chicago, and this state of facts and figures elsewhere in the world, has caused, is causing and will cause the people of Chicago to endeavor to find the

reason for this situation of affairs, this discrepancy in the cost of such necessaries of life, and when the cause has been discovered, to find a remedy.

On the threshold of this injury the people of Chicago have discovered that all these public utilities furnished to the citizens of the city of Chicago are owned and operated by private corporations, organized and conducted for private gain.

On stepping over the threshold into the vestibule of the investigation they have also found that in all the cities above mentioned, where public utilities were furnished at a cheaper price, these public utilities were being owned and operated by the public—in other words, by the municipalities themselves.

Must or must we not conclude that the difference in ownership and operation is the cause of the wide discrepancy in the cost of these absolutely essential necessaries of life to the residents of cities?

This is the subject for consideration by you and me today.

If it be found upon investigation that in Chicago and other cities where these public utilities are furnished by private persons or corporations, the prices charged for the same are higher than they are in a few other large cities, where these utilities are furnished by public corporations, it might appear upon investigation that the different prices result from many and various causes.

But if we find upon investigation that private corporations in different parts of the world and under varying conditions nearly always charge more than public corporations for the same service, we must conclude that private corporations charge exorbitant prices, and that it is to the interest of the public to place the production of their utilities in the hands of the public authorities.

According to the official report of the American consul in Liverpool, now on file in Washington, dated May 19, 1902, we find:

"There are now in Great Britain 931 municipalities owning waterworks; 99 owning the street railways; 240 owning the gas works; and 181 supplying electricity. Municipalities were not allowed to work tramways until 1896. It is estimated that half the gas users in England use municipal gas."

Among the municipalities owning and operating street cars are cities ranging from 4,000,000 to 50,000 inhabitants.

In Germany, Wurtemberg, Bavaria, Bulgaria, and some of the Australian states all telephones are owned by the public. In Switzerland nearly, if not all, of the telephone systems are owned

by municipalities. Many of the municipalities of Norway and Sweden own their own telephone systems, and in the duchy of Luxemburg the telephone system is owned and operated by the duchy. In Holland the telephone system was private till 1896, when the leading cities, Amsterdam and Rotterdam, secured franchises for municipal plants. In France the telephone was in private hands till 1899, when the government took possession and reduced rates. Austria and Belgium began with private exchanges and afterward adopted public ownership. In Denmark the government in 1898 assumed control of the telephone business, reserving the power to fix rates, and in England there is a decided movement from private to public ownership.

Municipal ownership and operation is now practically in force in the following great cities of Great Britain:

London (in part)	Glasgow	Leeds
Southampton	Nottingham	Liverpool
Hull	Bradford	Blackburn
Aberdeen	Sheffield	Huddersfield

nearly all of which cities have a population of from 100,000 to over a million.

In Milan, Italy, a city of a half million, the city owns its gas works and railways, and has a joint interest with the private corporation in the net proceeds of the company. In Saxony the gas plant is owned by the public. In Great Britain over 60 per cent of all the gas consumers are served by publicly owned companies. Birmingham, Glasgow, Manchester, Leicester, Nottingham, etc., own their own gas works.

Let us now examine and see what are the prices charged in these different countries for the public utilities when furnished by public corporations:

TELEPHONES.

Telephone charges in the United States are three times the government tariff in England, and also three times the charges permitted by the government in France.

In Trondhjem, Norway, with 780 exchange lines, the average rental was $13.25 a year per 'phone. Subscribers speak to eleven towns, within a radius of fifty miles, for five minutes for five cents.

Stockholm has an average of $20 per 'phone, and communication within a radius of forty-three miles. The Bell company, bought out by the government, charged $44 for the same service.

The public telephone of the duchy of Luxemburg (forty-four by thirty miles) makes a uniform yearly charge of $16 for each 'phone, and each subscriber can talk all over the duchy.

In Switzerland, which has an excellent system (metallic circuit), the cities make a moderate charge of $8, plus one cent for each call. In Zurich and other cities the average total rate is $15 per 'phone per year.

In Sweden there are 160 cooperative telephone exchanges, and the average of their charges is $10 per 'phone per year.

GAS.

In England, wherever municipal ownership has been established, the cost of gas is considerably less than where the gas is furnished by private companies.

The private companies operating in Glasgow, before the same were purchased by the municipality, charged consumers $1 per thousand feet, while the municipal company now being operated by the city of Glasgow charges 52 cents per thousand.

Private gas companies in England are now charging ninety cents per thousand, and publicly owned companies charge from fifty-two to eighty cents per thousand.

The private gas company or companies in the city of Chicago, as we all know, charge $1 per thousand for gas, and in many cities of the United States private gas companies charge considerably more.

It may be urged, however, that the difference in the price of gas in American and European cities might result from the increased cost of labor, or some other reason outside of the character of the management. That this is not true is shown by the fact that in those states of the Union where any of these public utilities are furnished by both private and public companies the same difference in rate prevails as those between American and European cities.

Some years ago it was found upon investigation that there were eight private gas companies in Virginia and four municipal plants. All but two of the private companies charged from $2 to $3 per thousand feet, and the average of the eight companies was $2.11. Three of the public works charged $1.50 per thousand and one of them $1.44, and the average cost to the people, operating expenses and all fixed charges, was $1.17.

In West Virginia there were five private companies and one municipal plant. One of the private companies charged $1 per thousand feet, another $1.60, and the other three $2 and $2.25. The public works in Wheeling charged seventy-five cents per

thousand, and the total cost to the people was fifty cents, there being no debt and no interest to pay, operating cost, depreciation and taxes being the whole expense.

Of the eighty-nine private companies in Pennsylvania, twenty-six charged $2 per thousand, and over fifty-five charged $1.50, and only eight made a rate as low as $1. At the same time the public works in Philadelphia, Pa., charged $1.50 per thousand, but sixty cents of it was clear profit in the treasury above the cost of operation and fixed charges, so that the people really got the gas for less than $1.

In Kentucky none of the private companies sold as low as the public works in Henderson, Kentucky.

In Ohio there were two public plants, one at Hamilton, which supplied gas at a total of $1 per thousand (thirty cents of it being interest), and the other at Bellefontaine (free of debt), which supplied gas at a total cost of sixty-three cents per thousand. Of the forty-three private companies only five made as low a rate as $1.

ELECTRIC LIGHT.

What is true of gas and water is also true of electric light.

While private companies in Chicago are charging from $105 to $125 per annum per arc lamp, the following cities which have municipal plants are furnishing the same light for the same period at the following prices:

Bangor, Me	$46 00
Lewiston, Me	52 00
Dunkirk, N. Y	53 50
West Troy, N. Y	75 00
Allegheny, Pa	57 00
Easton, Pa	95 00
Bay City, Mich	52 00
Detroit, Mich	61 50
South Park Plant, in Chicago	57 00
Aurora Ill	50 00
Topeka, Kans	51 00
Little Rock, Ark	49 50
Wheeling, W. Va	57 50
Peabody, Mass	61 50
Braintree, Mass	61 50
Danvers, Mass	56 50
Jamestown, N. Y	49 00
South Norwalk, Conn	47 50

The city of Boston, Mass., is furnished electric light by a private company which charges one cent per meter hour; the city of Braintree, Mass., is furnished light by a public plant which charges one-half cent per meter hour; Brookline, Mass., is charged one cent per meter hour by a private company; Swanton, Vt., one-third cent per meter hour by a public plant. In New York City the charge by a private company is one cent per meter hour; Westfield, N. Y., has a public plant which charges one-half cent per meter hour. The city of Philadelphia, Pa., is charged three-fourths cent per meter hour by a private company, and Newark, Del., three-tenths cent per meter hour by a public company. In Detroit, Mich., the private electric light plant charges $1 per month for each lamp; in Wyandotte, Mich., (near Detroit) the charge by a public plant is sixteen and two-thirds cents per month for each lamp. In Kalamazoo, Mich., citizens are charged 20 cents per kilowatt by a private company; Coldwater, Mich., (near Kalamazoo), which has a public plant, charges five cents per kilowatt. In Chicago, Ill., the charge is one cent per meter hour, and in Peru, Ill., the charge made by a public company is one-half cent per meter hour.

WATERWORKS.

The same is true of waterworks in the United States. In Indiana the charges made by private companies have been found to be double those charged by public companies. Only nine of the fifty large cities of the United States are supplied with water by private companies, and only two of these companies have made public their receipts and expenses. The two that have made reports admit that they have earned from thirty to forty per cent per annum on their capital stock.

The following statistics with relation to the rates paid for water by Illinois cities will convince the most skeptical that the rates charged by private companies for water are much in excess of those charged by publicly owned and operated companies:

Private water supply and ownership.	Total revenue per family per year.
Lincoln, Ill.	$18 00
Mt. Vernon, Ill.	10 00
Effingham, Ill.	5 50
Alton, Ill.	4 33 1-3
Sterling, Ill.	8 70
Kankakee, Ill.	7 90

Private water supply and ownership.	Total revenue per family per year.
Chillicothe, Ill.	$ 9 80
Cairo, Ill.	10 66 2-3
Oak Park, Ill.	20 00
	$94 90
General average	$10 54

Public water supply and ownership.	Total revenue per family per year.
Moline, Ill.	$4 50
Taylorville, Ill.	4 50
Savanna, Ill.	2 00
Lexington, Ill.	3 00
Elgin, Ill.	3 00
La Salle, Ill.	4 50
Evanston, Ill.	6 40
Rock Island, Ill.	5 33
Aurora, Ill.	4 00
	$37 20
General average	$4 13

What is true of gas plants, electric light plants, waterworks and telephones is also true of street railways:

STREET RAILWAYS.

The street car fare paid in the United States, where private ownership prevails, we all know to be five cents a ride, whether it be short or long, which is more than double what is paid to municipal street car companies in Europe, as will be apparent from the following table:

Town.	Population.	Fare.	Average Fare.
Milan	440,000	1 and 2 cents	1.8 cents.
Berlin	1,800,000		3.0 cents.
Budapest	500,000		2.7 cents.
London	4,000,000		2.5 cents.
Belfast	256,000		2.2 cents.
Glasgow	840,000		1.78 cents.

The principal street car companies in Chicago are capitalized and bonded for one hundred and seventeen millions of dollars. The value of their tangible property is shown by Mr. Arnold's

recent report to be less than twenty-seven million dollars. Until recently they have been paying interest and dividends upon their total bonds and capitalization.

In other words, they have been compelling the citizens of Chicago to pay them five per cent dividends upon ninety millions of dollars of stock which has no tangible property behind it, and which has not been invested in the railroads, but which is the value placed by these companies upon the charters given to them by the very people out of whom they are squeezing this extortionate income.

A consideration of the foregoing figures must convince the most skeptical that private companies that are furnishing water, gas, electric light and street railway transportation, both in this country and in Europe, are charging exorbitant prices for these commodities, and much more than is charged for the same by publicly owned companies.

This cannot be the result of mismanagement by private companies and efficient management by public companies, for it has always been claimed, and I think it will be conceded, even by advocates of public ownership, that the wages paid by publicly owned companies are always higher than those paid by private companies, and that the publicly owned companies are not managed with the same stringent economy that is characteristic of private ownership, where every attention is paid, even to the minutest detail, in order to decrease the cost of production. It must then result solely and exclusively from the fact that private companies, in their anxiety to swell the dividends of their stockholders, charge the public more than is reasonably necessary for the pecuniary success of these enterprises, and charge such rates as can safely be called "extortion."

The interest of the private companies is solely to make big dividends for their stockholders; the interest of the public companies is mainly to furnish the utilities to the public as cheaply and efficiently as possible, consistent with successful management of the enterprise. The spirit which actuates the former companies is that of private gain; the spirit which actuates the latter companies is the public good. The motive controlling the former companies is selfishness; the motive that actuates the public companies is altruistic.

But it has been said by those who oppose municipal ownership and operation that the service rendered by the public corporations is not as efficient or as satisfactory as the service rendered by the private corporations. This objection has been made most insistently by one of the papers of this city. This paper,

not content with defensive arguments in support of private ownership, for reasons best known to its owners and proprietors, seems to have had a severe attack of hysteria whenever the subject of municipal ownership is mentioned or advocated. It denounces the advocates of municipal ownership, and particularly myself, as a Socialist and lunatic. Let us see whether these claims made by the enemies of municipal ownership, and this paper in particular, are true or false.

The American Consul at Liverpool, England, in his report, dated May 19, 1902, declares:

"Liverpool is one of the foremost cities in municipal socialism. It owns the waterworks (one of the best systems in the world); it operates the street cars; it supplies the electric light and power; it has one of the largest and best public bath systems anywhere, and proposes to erect the finest Turkish bath in Europe."

The London correspondent of the New York Tribune has been investigating the government and varied industries of Nottingham, and he sends the following report to his paper:

"Good local government is the chief glory of modern England and cannot be too highly extolled, and the great distinguishing features of English local government into enterprises which in this country are, for the most part, carefully kept in private hands, who overlook no opportunity to plunder, and dupe and befog citizens.

"Nottingham, a city of 240,000 people, owns its own markets, cemeteries, waterworks, gas and electric light service and street railways, and while giving the people very low rates it has been able to turn into the treasury within five years $720,000 as net profit, after payment of interest on purchase debts, payments to sinking funds and liberal allowances for depreciation. This profit serves to reduce the tax rates materially. But while profit for tax reduction is secured, it is not the sole or the greater object of the city in conducting these enterprises. The collective interests of the community are mainly considered—the advantage of the common people considered apart from their liability as taxpayers.

"Water, for example, is furnished to tenements of low rental at not exceeding 42 cents per quarter year, and still the works are made to yield a small profit to the public treasury. The charge for municipal gas ranges from 28 to 34 cents per 1,000 cubic feet, and electric light and power service is correspondingly low."

In speaking of the public utilities in Liverpool, the American Consul says:

"Liverpool boasts of having one of the best railroad systems, not only in Great Britain, but in Europe. The corporation got control of the system in September, 1897, and has substituted electric for horse cars."

The same consul, in the same report, speaks of his observations with reference to the operation of public utilities by the public throughout the kingdom, and concludes his report by saying:

"Two observations are appropriate to be made in conclusion. Speaking generally, municipal government in Great Britain is honest, intelligent and energetic; and as a rule politics has but little to do with the engagement or retention of civic employees."

Who should know most about the ownership and operation of public utilities? The editor in Chicago, who expresses views pursuant to orders given him by men who live in Chicago, or the American Consul who for years past has been on the ground and seen with his own eyes how these matters are managed?

It has been, however, contended by the enemies of municipal ownership that the city of Chicago will be unable to undertake municipal ownership and operation of street cars or other public utilities, because of the fact that the city of Chicago is indebted to the full constitutional limitation of indebtedness; has no money on hand with which to construct or purchase such utilities; and cannot borrow same by reason of the constitutional provision that "No city shall be allowed to become indebted in any manner, or for any purpose, to any amount, including existing indebtedness, in the aggregate exceeding five per centum of the taxable property therein."

It is conceded that the city is now indebted to the constitutional limit.

Notwithstanding this concession as to the amount of the indebtedness, there is no force in the contention. The city of Chicago need not obligate itself or its citizens, nor pledge its property or the property of its citizens, nor tax them or their property to the extent of a single dollar, to enable it to acquire a complete system of street railways, or a gas, electric light or telephone plant, adequate to the use of its citizens.

By agreeing to turn over to contractors or money lenders the prospective income from a street car system, a gas, electric light or telephone plant, to be erected, until the contract price for the construction of the same is paid, with six per cent interest thereon, without obligating itself personally to pay anything, the city can easily find contractors or money lenders to advance the money for such construction. Nay, more, I have no hesitation in saying

that if the present street car companies were offered a price which was satisfactory to them they would willingly accept the receipts (street car fares at present rates) as security for the purchase price. They may deny it now, but, mark my prediction, they will offer to do so before the street car problem is settled in this city.

Why do I make this assertion with so much confidence?

First. Because such a pledge of prospective receipts would be essentially the same, or better, security than has enabled them in the past to bond and stock their companies on the stock exchanges for four times their intrinsic value.

The different traction companies in this city, in negotiating their stocks and bonds, have given no outside securities. The names of these companies, and these alone, are signed to their stocks and bonds. Consequently only the property of these companies is liable for the payment of these obligations. What does this property consist of? Their tangible property, worth only one-fourth of the aggregate of these liabilities, and their franchises which at no time extend beyond twenty years.

They have raised all the money they need on such security. Now the city of Chicago, without personally obligating itself, can give constructing contractors or money lenders better security, to-wit: The tangible, real and personal property, which will be acquired and used in operating the plant, and the receipts from the operation of the system, not limited to twenty years, but unlimited in time, until the cost of the plant, and all interest thereon, is fully paid. If four times the value of the tangible property has been raised here in Chicago within a few years past by private companies, which can only pledge these receipts for less than twenty years, can it be seriously contended that one-half of that amount (which will be more than adequate for all purposes) cannot be raised by the city on a pledge of the same tangible property and a pledge of the receipts unlimited in time?

TO DENY IT IS ABSURD.

Second. I assert that that money can be raised on this pledge, and this alone, because it has been done before.

I have been informed that municipal companies have been financed in many cities in Europe in just this manner. I can specifically refer to one case upon such respectable authority as the Lord Provost of Glasgow.

In a report made by that gentleman in 1901, on pages 9 and 10, will be found the following statement:

"The companies (gas companies purchased by the city of Glasgow) held two kinds of stock, one entitled to a maximum dividend of 10 per cent, and the other 7 per cent. Under the corporations act, holders of the former received perpetual annuities of 9 per cent, and of the latter, 6¾ per cent, these annuities being secured by a lien on the gas works, on the revenue derived from the manufacture of gas, and by a guarantee rate of 6 pence on the pound per year leviable from the inhabitants of Glasgow in respect of rental."

In other words, the city of Glasgow pledged for the payment of the purchase price of the gas works, the plant and its receipts, and guaranteed that each house renting for one pound sterling would pay, as gas rent, 6 pence, or, in American money, that each house renting for $40 per month would pay a gas bill each month of $1.

If the conservative and canny Scot is satisfied with such security, why should not the more conservative American financier?

It has, however, been asserted by a Chicago paper, and other enemies of municipal ownership in this city, that the scheme of pledging the prospective plant and receipts of a municipal plant has been declared by our Supreme Court to be unconstitutional. The case they rely upon, and the only one they have cited, to my knowledge, is the "City of Joliet vs. Alexander," 194 Ill., 460, decided in February, 1902.

I have read and reread that case, and can say with confidence that it does not declare the scheme suggested unconstitutional or illegal. In that case the city of Joliet had an existing water plant of large intrinsic value, from which it was deriving a net income, over all expenses, of $10,000 a year. For the purpose of extending this plant the city passed an ordinance providing for the issuance of $240,000 worth of water certificates, pledging as security for the payment of the same the existing waterworks owned by the city, and all the receipts from said plant, present and prospective. In other words, it made the then existing city property and income subject to mortgage, and liable to be taken from the city upon foreclosure.

In passing upon the state of facts the court said: "One who pawns or pledges his property and who will lose his property if he does not pay is indebted, although the creditor has nothing but the security of the property, and so also is a mortgagor, who is liable to lose his property if he does not pay the money secured by the mortgage."

The court dwells upon the fact that the pledge was not for purchase money, but a pledge upon existing property and income

then existing and then the property of the city; but lest it might be construed as holding that a city might not acquire property then owned by it, and pledging the property so acquired for the purchase price, the court uses the following language:

"What is said relative to mortgaging property owned by the city, or pledging its existing income, is not intended to apply to a mortgage purely in the nature of a purchase money mortgage, payable wholly out of the income of property purchased, or by resort to such property purchased."

The use of the language just quoted was unnecessary to the determination of the case, but the court seemed anxious to place itself on record as refusing to hold that a city could not pledge a plant about to be purchased, and the prospective income thereof, as the sole security for the purchase price of same.

The Alexander case strongly supports the validity and constitutionality of the scheme I have heretofore suggested.

I therefore confidently assert on the authority of the Alexander case that the city of Chicago can, as is proposed by the Mueller Bill, issue certificates, payable only out of the prospective receipts of the street car system and the property acquired, without the city obligating itself to the amount of one dollar, and that such certificates can be readily negotiated.

The only other objection that I have heard urged to the scheme of municipal ownership is that it will build up a great political machine; that every man employed upon a municipal system would be a political striker, owing his position to a political boss or machine, and that the aim of such an employe would be to please his political sponsor rather than to give efficient service to the public.

There would be considerable force in this objection if it were proposed to operate such enterprise independent of the civil service law of the city.

But no advocate of municipal ownership is making any such suggestion. On the contrary, every advocate of municipal ownership and operation demands that a rigid civil service provision should be incorporated in every such ordinance. All employes of a street car system owned and operated by a city would fall within the provisions of the present civil service law.

The friends of municipal ownership and control are the friends of civil service. They know that, without civil service, municipal ownership and control cannot be efficient or satisfactory. They know that where municipal operation has been put in force it has been accomplished by a civil service system. They know the Federal post-office system has been successful under the civil service. They know that the Chicago water office system has

been successful under the civil service, and they are informed in the words of Consul Boyle that "Municipal government in Great Britain (where municipal operation and civil service prevail) is honest, intelligent and energetic; and as a rule politics has but little to do with the engagement or retention of civic employes."

As a matter of fact, the public has more to fear from political intrigue and bossism under private than under public management. Most of the great scandals that have disgraced the public life of American officials have been the result of bribery on the part of private companies.

Who was responsible for the scandals connected with the notorious Allen and Humphrey bills? Who was responsible for the gas consolidation infamy? Who secured the corrupt legislation in the city council of St. Louis, which has landed many of its aldermen in the penitentiary? Who secured for the Philadelphian council of aldermen in the past, and the common council of New York in the days of Jake Sharp, a reputation that is a stench in the nostrils of the people?

PRIVATE COMPANIES OR PRIVATE INTERESTS.

In a word, private corporations or interests, seeking to obtain from the public new grants or extensions of old grants, have been the moving cause, and have furnished the corruption funds for nearly every scandal that has disgraced Congresses, State Legislatures and Municipal Councils in America from the days of the Credit Mobilier down to the days of St. Louis boodle.

Within a few years back we have known aldermen and legislators in this city who have become unaccountably rich while in office, and while they have found it impossible to place their friends in the water office since the institution of civil service, they have found no difficulty in placing scores of them on the street cars and in the gas plants of the city.

At the last session of the Legislature, the people succeeded, in spite of open opposition and secret intrigue, in spite of the plotting of boodlers and the scheming of traction interests, in having a bill passed under the terms of which, for the first time in the history of this State, cities and municipalities were empowered, under certain terms and conditions, to own and operate street cars. This bill is popularly known as the Mueller bill.

The bill is not an ideal bill; it is not the bill that was formulated and presented to the Legislature by the friends of municipal ownership; it has many defects incorporated into it by the corruption and intrigue of political machinery; but none the less it is a bill under which the people of the city of Chicago today, if

they assert their rights and are firm and insistent upon them, can acquire, own and operate street cars for the public good.

The greatest danger to be apprehended to the people is not from the Mueller bill, but from the ordinances which may be framed under it, giving certain rights to private companies. If the people are watchful and vigilant, they can prevent the passage in the city council of any ordinance which will be detrimental to the public interests. The main object achieved by the passage of the Mueller bill was the granting to the city of the power to own and operate, or own or operate street cars. This it does clearly and unequivocally, and better still, it enables the city, once this bill is adopted by the people, to acquire street car systems by condemnation. In other words, it empowers the city which desires to own and operate public utilities, to condemn the property and franchises of existing companies and, under the eminent domain act, hale them into court and compel them to surrender their property at its fair cash value to the people.

Today the living question put to the people is as to whether or not they will adopt the Mueller bill. By its very terms it cannot become operative unless adopted by the people of this city by popular vote. I have no hesitation, as a friend of municipal ownership, in advising the people of this city to vote and work for its immediate adoption, and I earnestly hope that every citizen who has the interest of the public at heart in this community, will do everything possible within his power within the next few weeks to bring about the adoption of the Mueller bill. This should be the first aim and ambition of the citizens of this city. In my opinion unless this bill be adopted next April by the people of this city by a decisively affirmative popular vote, the traction corporation of this city within the next few months will have this city bound hand and foot for the next forty years by ordinances passed by the common council.

The object sought by the Mueller bill is to place the city in a position where it can own and operate, or own or operate its own street cars. Five-sixths of the people have recently demanded it by popular vote; the city council demanded it and appointed a municipal ownership committee with instructions to draft a bill for that purpose. This committee submitted such bill to the Legislature for passage. Both of the great political parties professed themselves in favor of the Mueller bill during the last mayoralty campaign, and through their candidates for mayoralty appointed a joint committee to go to Springfield to urge its passage. Overwhelming public sentiment, by brute strength, forced it down the Speaker's throat, through the Senate and out of the

Governor's office a law—but a law to take effect only when approved by popular vote in this city.

Now, what has taken place since the passage of this law?

First. An ordinance providing for the submission of the law to popular vote, as required by the Mueller bill, was allowed to sleep in a committee of the common council for months, and was only dragged out of the committee and put upon passage by persistent outside pressure and a storm of popular protest.

Second. Instead of the council busying itself with preparing ordinances for submission to the people as to whether they desired to own and operate or own or operate their street railways under the provisions of the Mueller bill, the committee on transportation got very busy and worked incessantly after the passage of the Mueller bill, in preparing an ordinance to extend the franchise of the Chicago City Railway Company ostensibly for twenty years, but which in reality would effectively and summarily defeat the whole object and aim of the Mueller bill for from twenty to forty years. In so doing this committee brazenly and openly defied public opinion as expressed at the polls, recanting the position of the council itself when it recommended to the Legislature the passage of the municipal ownership bill, repudiated the demands made upon the Legislature by both political parties and all the candidates for the mayoralty, and did everything in its power to perpetuate the system of private ownership and defeat the system of public ownership demanded by the people at the polls. Whatever may have been the motives of the members of this committee, honest or dishonest; whatever may have been their private characters, honorable or dishonorable, in drafting this ordinance, which would kill public ownership from twenty to forty years and nullify the Mueller bill, they proved recreant to the wishes and demands of their constituents, the people of the city of Chicago, and they have no right to complain if the people, discovering no excuse for their action in preparing this ordinance, or any ordinance which kills the municipal ownership for from twenty to forty years, regard their conduct with suspicion and indignation.

In the situation confronting the people of this community at the present time the following program should be adopted and pushed forward by every possible means:

First. Above all, the Mueller bill should be adopted at the polls next April.

Second. All negotiations with the traction companies which have for their avowed purpose the killing of municipal ownership for from twenty to forty years, should be immediately suspended.

Third. Until the people are empowered by purchase, condemnation or otherwise, to acquire and operate their own street cars, the city council should pass a license ordinance, licensing street cars in the same way as they license drays, cabs, trucks and other vehicles; or, it should grant short extensions, preserving the present status between the city and the present companies, for a period not to exceed three months at a time, until the city is in a position to take over the street car systems by purchase or condemnation.

Fourth. If the present companies refuse to place a reasonable price upon their properties for purchase by the city, the city should commence, immediately after the adoption of the Mueller bill, condemnation proceedings under it, to fix the value of the properties of these companies.

Fifth. After the value of the same is fixed in a condemnation proceedings, the question should be submitted to the people as to whether or not they desire to acquire the property of these companies at the price fixed in the condemnation proceedings, and if they vote in the affirmative, then,

Sixth. The city should advertise the sale of street car certificates, pursuant to the terms of the Mueller bill, for an amount sufficient to purchase these properties at the price fixed by the condemnation proceedings, and ten per cent in addition thereto, as provided in the Mueller bill, to cover operating expenses, bearing interest at five per cent, with a guarantee that a five-cent fare will be retained until all of said certificates, with interest thereon, shall be paid in full.

All of these steps can be taken successfully, in my opinion, under the provisions of the Mueller bill, and I have not the least doubt that, if such certificates, bearing such interest, with the guarantee above mentioned, were offered to the investing public, large financial syndicates would purchase these certificates within ninety days after their issuance. Such certificates would give not only as good but better security than has been given by the traction companies to investors in the past. The tangible property of these companies in 1883 was worth less than twenty-seven million dollars, and, yet with no security but this tangible property worth twenty-seven million dollars and a franchise for twenty years given them by the city of Chicago, permitting them to charge nickel fares, the gentlemen who own and control these companies were able to capitalize the stocks and bonds of these companies at one hundred and seventeen million dollars. In other words, the value of the franchise for twenty years was worth the difference between $27,000,000 and $117,000,000—$90,000,000.

If they succeeded in capitalizing these franchises for that sum in 1883, when the city had not over 700,000 inhabitants, what would such a franchise be worth today in a city of 2,000,000 inhabitants? I have not the least possible doubt that they would be worth at least $200,000,000. Yet this enormous capitalization of ninety million over and above the value of the tangible property of the companies was made solely and exclusively upon the tangible property and the franchises of twenty years. No surety company or individual guaranteed these stocks and bonds; they were secured alone upon the tangible property and the franchise for twenty years.

Today the city of Chicago will be able to offer as security for the payment of its street car certificates not only the same security, to-wit, the tangible street car property acquired by it, but a franchise not for twenty years, but unlimited in time. In other words, in addition to the tangible property the city will pledge itself, without limit of time, to charge nickel fares until said street car certificates and the interest thereon are paid in full.

Inside of ten years, if not less, in my judgment, all these street car certificates can be paid in full, and the people, then owning their own plant, can proceed to reduce fares to the lowest possible cost, as has been done in all the great cities of England and in a great many of the great cities of Germany, Austro-Hungary, Australia and Italy.

If these successive steps are taken the money can and will be raised to purchase the street car systems of this city, and the present companies can be paid therefor, as above stated; then additional street car certificates can be issued to remodel and modernize the street car systems to meet the present demands of the public.

Care should be taken, moreover, in the passage of any ordinance providing for the acquisition of street car lines and the operation of the same by the municipality, that all employes should come within the terms of the civil service law, and the provisions of the civil service law should be enforced in the most rigid and effective manner.

If these steps be taken by the people I am confident that within a reasonably short time the city of Chicago will be able to own and operate the street car system with the same satisfaction to the public, both from the standpoint of economy and efficiency, as has been experienced by the great cities of England, where, after a test of at least ten years, it has found to have worked a wonderful reform.

Efficient service will be rendered; economic charges will be made; corruption of the common council will cease; and the boodler and bribe giver will vanish from the land.

Corruption of public officials, the stealing of public property, favoritism in the selection of employes, strikes, inefficient service, exorbitant charges and insolence toward and defiance of the public has marked the history of private management of public utilities in Chicago, and elsewhere in America.

The people have called a halt. The demand of the people to place a check upon public corruption by and with the referendum, at first feeble and unheeded, has swelled into a roar whose reverberations are heard in the council chambers of the land, as well as in the temples of finance.

In my judgment the people are in no condition to be longer trifled with; no longer will they be despoiled and flouted as they have been in the past, and the legislator, councilman or alderman who remains deaf to the cry of the people and heedless to the popular demand for municipal ownership and the referendum, may as well prepare for sepulture under a stone upon which will be written the epitaph: "HE SERVED THE CORPORATIONS—NOT THE PEOPLE."

WORDS OF CHEER AND HELP TO THE IMPRISONED.

ADDRESS TO REFORMATORY BOYS, JANUARY 19, 1914.

Boys, as Chief Executive of the great State of Illinois, it becomes one of the duties incumbent upon that position to inquire personally into the operation of some of its great institutions. I have always conceived that duty to rest upon the Governor. During the first year of my incumbency in that office, my time was so taken up with legislative matters and in attending to the business growing out of the same that I could not find time to take up this work. I have now reached the place where, in my official capacity, I hope to visit every institution, and I have chosen the Illinois State Reformatory as the place for my first inspection. The reason is this: Having been blessed of God with eight sons, five of whom are still living, I am naturally intensely interested in boys, and particularly in boys and young men who, by reason of having broken the laws of the State of Illinois, are in confinement.

I believe that the name of this institution is well bestowed; that the name "Reformatory" is the proper name, in that it stands for a new departure on the part of those who, having gone wrong, should be given a fresh start in life and citizenship. This institution is founded for reform and not for vengeance.

You know, boys, that you have gone wrong in your conduct outside of this institution. You know that you come here because of the wrong things you have done outside, and that the law says you must be deprived of your liberty. Do not come here with the idea that the law is unjust in this. Laws are necessary for the regulation and protection of society. There must be—and are—such laws in every civilized land. There is not a single nation on the face of the earth called civilized where such laws are not enforced. Unfortunately, you have done something to break these laws. This is true of probably 99 out of every 100 boys here. This I am sure you will admit to be a fact, and that the matter of your guilt or innocence, so far as you each are concerned, was fairly decided in court. Our tribunals are conducted upon the principles and elements of righteousness.

Doubtless many of the reasons which led you into the trouble which brought you here have arisen from unfortunate conditions in your youth. Many here have been deprived of the guidance of fathers and mothers, who would otherwise have guarded and guided you in such a way as to have made it forever impossible for you to have come here. Some of you have doubtless come here through the environments into which you have fallen, where you were induced to commit these infractions of the law. But now that you are here, I do not want you to neglect anything which will forward the efforts which are being and will be made to accomplish your reform. Are you willing to do your part to make good records and go out clean boys? We are sincerely anxious to get you started right in life. Are you willing to help us in our work for you, and so enable us to graduate you from this institution with honor to yourselves and to the State? We are going to do everything in our power to succeed in this respect. To this end you will be regarded by the officers placed over you as human beings, with a good measure of intelligence, and as boys with souls that need help.

In looking over the faces in this place, as I went through, I can frankly say I would not have felt myself in a reform school, did I not know such to be the fact, but that I was visiting a place where free business was being carried on and free labor being employed. I am much impressed with what I have seen here and I feel confident you will so conduct yourselves while here that we may finally send you forth into the world once more to earn an honorable living and to become worthy citizens.

"THE FORTY-EIGHTH GENERAL ASSEMBLY."

ADDRESS TO THE CHICAGO BAR ASSOCIATION, JANUARY 21, 1914.

Mr. Chairman and Gentlemen:

After sixteen years of Republican control of the Illinois Legislature, the Forty-eighth General Assembly convened last January with a small plurality of Democrats, elected to both Houses, but without a majority. The conditions, under which previous Assemblies convened, were absent, and after much delay, a Speaker was finally elected. For weeks the State officers were prevented from taking the oath of office and assuming the duties for which they had been elected by the people.

In my inaugural message, I urged upon the Assembly certain legislative steps which I deemed necessary for the welfare of the commonwealth, and that I had advocated during the campaign previous to my election. Most of these measures met with the approval of the Legislature, but among the most important that I recommended, to which it failed to respond, was the passing of the initiative and referendum law, and a law for the abolition of the State Board of Equalization.

For more than eight years the voters of this State have been insistently demanding the right to initiate legislation and to veto legislation by use of the referendum. Twice at the ballot box they had declared for these measures. The ratio for and against was approximately five to one. When the bill which provided the necessary change in the Constitution that would make the initiative and referendum a law, had passed the Senate and was before the House, the required votes, namely, one hundred two, were secured. Whereupon, Representative Kilens changed his vote to the negative, thereby repudiating his party pledges, and voted against the mandate of the people of the State and of his own district. This was patent to him and those who sought its defeat. The action staggered the members who believed in representative government and paralyzed the efforts of thousands of good citizens who for years had labored to bring about this great reform.

For years, those of you who are acquainted with the revenue laws of our State, know that valuations in the past have not been

assessed along just or scientific lines. Corporations have been favored, and obtained privileges, denied to the small business men and the poor people of the State. The measure that would abolish the State Board of Equalization passed the House, but the Senate saw fit to bury the matter so deep in the committee that it was never resurrected. The abolition of this board had been demanded by the three parties in their respective platforms. It had been recommended by a Republican Governor, as well as myself. Its farcical work and secret methods should have been abolished, and in its stead created a commission that would intelligently inquire into the tax laws of the State, prescribing new forms for assessment returns and reports and securing all schedules and information which would help bring about a fair and equitable distribution of the burdens of taxation by determining the correct valuation.

I think it proper to direct your attention at this time to the fact that in my message to the Assembly, I pointed out that there was an insistent demand by the people for at least three amendments to the present Constitution. While that instrument as a whole is a good one, and its bill of rights an admirable declaration and its division of the departments of government wise and scientific, it has not in its provisions relating to its own amendment, been sufficiently elastic to keep pace with the demands of modern progress in that its amending clause is, itself, in sad need of amendment so as to permit greater facilities in amendment now and hereafter.

I recommended in my inaugural and special messages the enactment of eighteen specific measures, twelve of which received the approval of the Assembly, and I had the pleasure of affixing my signature thereto, and thereby making them laws of the State of Illinois.

First. The Legislature, on my recommendation, ratified the amendment to the Federal Constitution, providing for the election of United States Senators by direct vote of the people, thus preventing for all time the possibilities of such deadlocks and scandals as have sorely tried the patience of the public in the past.

Second. The Legislature, on my recommendation, enacted the public utility act. The Public Utilities Commission has large powers over all public utility companies, including control over accounts and reports, capitalization, rates and service, with authority to conduct hearings and investigations, to establish a uniform system of accounts. In order that the charges of public utilities shall be reasonable, the fluctuations in rates must be based upon conditions after a scientific investigation. And while the law of Illinois contains many similar provisions, enacted in

other states, it differs in two important respects in that the State commission shall have no jurisdiction over municipally owned utilities and there is no provision for indeterminate franchises.

Third. The Legislature, upon my recommendation, passed a public ownership act, in which cities are given the right to own or operate public utilities and to acquire or dispose of them in order that adequate service may be secured for the people.

I consider the passage of this act one of the greatest accomplishments of the administration, and take pleasure in recollecting that, when mayor of Chicago, my advocacy of municipal ownership of public utilities was believed by many people to be chimercial, but after these years, during which public thought has adjusted itself to the economic laws, bearing upon the relation between the utility companies and the public, I experienced great pleasure in affixing my signature to the bill which created the law and gave to the municipalities of this State powers of tremendous value to the people.

Fourth. The Legislature, upon my recommendation, passed an act, authorizing the employment of convicts on State roads, which made for more humane treatment, as well as conserving the health of the convicts, while utilizing their labor for the benefit of our rural communities. The honor system has been tried in other states, and by its use the inmates of penitentiaries and reformatories have been restored to society and have again taken up the duties of citizenship with renewed vigor and hope, instead of remaining a charge on society after their release because of their tendency to renew criminal life.

Fifth. The Legislature, upon my recommendation, passed an act, establishing an epileptic colony. Illinois has been somewhat remiss in caring for a portion of its afflicted people, and while our administration of charities is second to none in the country, the care of epileptics has been sadly neglected. There are about ten thousand in our State, one-third of whom are practically without means of a livelihood. They could support themselves if given employment, which they cannot secure for themselves on account of their affliction. So I recommended the establishment of an Epileptic Colony, a tract of land of about two thousand acres, and while this most humane matter has been attempted before, I am glad to say the last Assembly acted wisely when they appropriated half a million dollars for this very worthy cause.

Sixth. The Legislature, upon my recommendation, amended the primary election law, and hereafter the candidates for elective State and congressional offices will be rotated on the ballot. I

regret that this same method will not apply to cities and villages, but I believe that the law as enacted will eliminate many of the abuses previously complained of.

Seventh. The Legislature, upon my recommendation, established the Legislative Reference Bureau, which will prove a benefit not only to members of the Legislature, but to all the State departments, civic bodies and the public as well. The collection of data on economic and sociological subjects, procuring complete information on all legislative topics, will furnish the members of the next Assembly information in a ready and accessible manner, which will enable it to intelligently discuss the many problems which it will have to consider. The bureau will prepare a comparative statement of State expenditures and a statement of estimates, and this new form of budget-making should enable the Assembly to speedily dispose of the appropriations in an intelligent manner. Besides, the bureau will assist the members of the Assembly in drafting of bills, and the preparation of resolutions, etc.

Eighth. The Legislature, upon my recommendation, created the efficiency and economy committee, consisting of eight members chosen from the Senate and House, who are now preparing the plans for an examination into the condition of public institutions and departments of the State, to ascertain, if it is possible to reduce the expenditures without impairing the efficiency and to provide for the latter, where it is possible to do so.

Ninth. The Legislature, upon my recommendation, amended the two-cent fare law so that the discrimination that existed against children, obliging them to pay higher rates than adults, when paying fares on trains, will no longer penalize them in this regard.

Tenth. The Legislature followed my suggestion concerning good roads. The improvement of highways, which all must recognize as vital to the agricultural and educational welfare of Illinois, has been shamefully neglected. There are nearly one hundred thousand miles of roads in Illinois, only ten per cent of which are up to the standard that obtains in our neighboring states. Illinois, while rich agriculturally, is twenty-fourth in the matter of improved roads, and the loss occasioned to farmers, and the hardships connected with transporting products of the farm to the towns and cities, has a direct bearing on the high cost of authorities. The State and county equalize the cost of construction and practically a million and a half dollars were appropriated charge of State roads to be built in cooperation with the local authorities. The State and county equalize the cost of construction and practically a million and a half dollars were appropriated

for these expenditures for the next two years. The method of securing county superintendents by competitive examination of nominees of the county boards should secure efficient supervision of road-making and bridge-building in Illinois.

Eleventh. The Legislature, at my request, passed an act in relation to the semimonthly payment of wages and salaries by corporations for pecuniary profit engaged in any enterprise or business in Illinois, which will relieve and be of great benefit to many thousands of wage-earners and salaried people within this State. Lack of ready money in cases of illness, death or any unforeseen occurrence, is often the occasion of much embarrassment and the means of throwing many a victim into the clutches of the loan shark.

Twelfth. The Legislature, at my request, after an investigation of the fish and game departments of the State had disclosed extravagance and waste, failure to enforce the laws and neglect in conserving the natural resources of the State, consolidated these two departments and created the Game and Fish Conservation Commission, in order to keep step with the progress attained by other states in this direction.

Much more beneficial legislation was secured, principally among which was the workman's compensation act, which revised the law of 1911, providing for a definite award to injured employes and the creation of a commission to pass upon the amount of the award in place of the County Court, and the woman suffrage act, giving women large franchise rights in the State.

The mechanics' lien law was extended to give a subcontractor a lien on the building for which labor or material was furnished.

Coal mining laws, providing greater safety in mining operations and the establishment of rescue stations, will prove a benefit to coal mining employes.

There was also a commission appointed to investigate causes and effects of unemployment in Illinois.

A more thorough investigation of railroad safety appliances and the requiring of electric headlights on railroad engines, providing that in passenger service sufficient candlepower shall be used to discern an object the size of a man upon the track at the distance of eight hundred feet, with similar requirements for engines used in other service, are other important measures.

A law of vital importance to wage-earners, which allows the organization of corporations for loaning money by wage assignment and limiting the rate of interest or compensation therefor, not to exceed three per cent per month for its use, should have a tendency to put a stop to the outrageous loan shark methods heretofore prevailing in this State.

The owners or operators of coal mines, mills, foundries, shops and such business in which employes become covered with grease, smoke, dirt, perspiration, etc., which might injure their health or make their condition offensive to the public, must maintain sanitary wash rooms convenient to the place of employment for the use of the employes.

This summary of what was attained at the last session will, by comparison with the previous sessions extending back over a period of years, seem favorable indeed. Some of the measures will help revitalize the whole law in Illinois. Much more might have been accomplished, but what was secured has great merit.

PLEASED AT REGISTRATION OF SO MANY WOMEN.

STATEMENT TO CHICAGO JOURNAL, FEBRUARY 4, 1914.

Am pleased at the splendid outpouring of Chicago women on registration day, particularly in my own ward, the 25th. My wife and daughter registered among them.

Am confident that it presages still greater interest in the future among women.

Every woman, entitled to vote, should be registered at the very first opportunity. Democratic women should, and will, exhibit as much interest in the issues of the day as other women. The only decent argument ever used against women suffrage was that women did not want suffrage. The answer to that objection has been given. There are 154,000 women in Chicago who, at the very first opportunity, answered that objection. I believe Chicago is the largest city in the world where women are now permitted to vote, and they are splendidly availing themselves of the opportunity given them by the law which I signed as Governor last June.

COMMENDS SERVICES OF PRESIDENT JAMES.

LETTER TO DR. EDMUND J. JAMES, MARCH 7, 1914.

Dear Sir:

Yours of the 6th instant is before me. Before receiving notice of the meeting, I had promised to attend the celebration of the centenary of the creation of Belleville as the county seat of St. Clair County, and have made all arrangements to be present and deliver an address at that celebration.

It gives me much pleasure to know that the teaching faculty of the university has shown with such practical unanimity their confidence in your administration of the responsible position of President of the University of Illinois.

Every citizen of this State, including myself, is intensely interested in the continued success of this great university, and it is my earnest hope and desire that all personal considerations and ties of preference among the trustees should give way to the great object of making our university the greatest State University in the United States.

Politics must not enter into consideration in the management of the university, and whatever may be our affiliation with political parties, they should be forgotten in the execution of our business as trustees of the university.

In reference to yourself, as I have heretofore publicly stated, I believe you to be a most efficient and competent executive and educator. Under your administration, the university has developed in the most wonderful manner, and, in my judgment, the State University is fortunate in possessing such an able and forceful executive at its head.

Kindly present to the Board of Trustees my regrets at being unable to be present.

Wishing you and the university continued success, etc.

E. F. DUNNE.

ON BELLEVILLE'S CENTENARY.

ADDRESS AT BELLEVILLE, ILL., MARCH 10, 1914.

Mr. Chairman, Ladies and Gentlemen:

The State of Illinois will celebrate the first centenary of its statehood in 1918. Yet, strange to say, the city of Belleville celebrates the centenary of its creation as a county seat today. It must be a matter of pride to the citizens of this city that, in antiquity, it antedates the creation of Illinois as a State and it is meet and proper that the historic occasion be observed with fitting ceremony.

The city of Belleville was made the county seat of St. Clair County, a hundred years ago today. Cast your eyes back over that lapse of a century and contemplate with me the stupendous changes which have come and the tremendous progress that has been made. From a population of about 50,000 in 1818, the State has sprung into the place of the third state of the Union with a population of nearly six millions. St. Clair County, second county in the State in 1820, with a population of 5,248, still remains the second county but with a population of about 130,000. To the galaxy of the Nation's great men and the State's idols, your beautiful city of Belleville, true to the literal translation of its euphonious name, enjoys the rare distinction of having contributed a goodly share. There was Ninian Edwards, a successful business man of Belleville, who attained the distinction of becoming Governor of the State, the only territorial Governor the Illinois territory had and the third Governor of the State. He left the imprint of his magnificent character, his winsome ways and his dignified and courtly bearing, indelibly on the records of Illinois. The house which he built and where he lived and died, during the disastrous cholera epidemic which devastated a large portion of our State, still stands here, I am told, as a landmark and as his only monument.

Governor John Reynolds, too, was a Belleville man. If he were alive today, he would doubtless be branded as a chronic office-seeker and as a politician whose hunger for place was practically insatiable, but in his day he secured and retained the confidence and love of his fellow citizens. He is the only man I know of who rose to first rank in all three of the separate branches of our State government, viz: the legislative, the judicial, and the executive. Reynolds was Governor and he was a great Governor, but, before he achieved this

distinction, he was a member of the Legislature and Speaker of the House. He was besides that a distinguished and illustrious member of our Supreme Court; a member of Congress and a foreign diplomat. Best of all, he was the historian of the State. He wrote and printed his books in Belleville. Copies of the original editions of these publications are priceless treasures now and they are only parted with by their envied and happy possessors at fabulous prices. His home still stands and is an ornament to North Illinois Street. His bones rest on the summit of Walnut Hill Cemetery, his last resting place being marked by a dignified, though exceedingly modest shaft of marble.

William H. Bissell was another of the Governors Belleville gave to the State. He also served with rare distinction in the Congress of the Nation. He was a man of robust courage, charming eloquence and great executive power. His prompt acceptance of the Jeff Davis challenge to a duel and the trying conditions he named and the subsequent humiliating backdown of Senator Davis is one of the facetious events in American history.

James Shields practiced law in this city, a Belleville man. So high did he rise on the pedestal of fame that his statue today graces a spot in the Hall of Fame in the Nation's Capitol in Washington. He, too, was a statesman, a jurist, a soldier, an orator. His personality was overwhelming, fascinating and overpowering. Illinois claims him as her own but, after leaving Belleville, he had the rare distinction of representing two other states, Missouri and Minnesota, besides Illinois, in the Senate of the United States. This is wonderful and an unexcelled record.

One of the greatest men our State has produced was Lyman Trumbull, and he came to us from St. Clair County and from Belleville, where he lived and practiced law for many years. He loved this city and its people. He became distinguished among his fellow men. He was Secretary of State, a Supreme Justice and twice a United States Senator. He was really and truly a noble Roman. In the Senate he served with the intrepidity of a lion, the ability of a Cicero and a Demosthenes, and the fidelity of a Cincinnatus. I knew him, loved him and revered him.

Belleville has the record of having furnished three of the Governors of the State but the city was not content to stop there; it also supplied two of the Lieutenant Governors, viz: William C. Kinney and Gustave Koerner. Either of these men would have made a great Governor. They possessed education, culture, character, ability, brains, energy and ambition. Koerner was of the celebrated German stock, for which your city and county are justly famous.

Belleville was the home of Jehu Baker, an orator of national reputation and a great statesman, who died a pioneer in the progressive political movement which is at this time bringing about great changes in the social, economic and political conditions in this country, through process of peaceful revolution. It was the second home of the illustrious William R. Morrison, hero of two wars, and father of tariff reform. It was the home of Henry Raab, the friend of the gifted Altgeld, twice elected to the high office of Superintendent of Public Instruction. Raab was a thinker, a philosopher and an educator. He was one of the great school teachers of his day and time. He remained strong, powerful and manly to his death. He set an example worth emulating. He held the respect, the admiration and the love of all men. Nor has Belleville ceased to produce men of sterling worth and character in public life. Today it is giving us Fred Kern, one of the truest and ablest men in public life, and Charles Karch, your member of the Legislature, in whom you should take more than ordinary pride.

I congratulate Belleville and its people; the record they have is one to be proud of. I congratulate St. Clair County. In point of population, St. Clair County is only outranked by Cook.

Your city is famous now and St. Clair County is, for its diversified industries, its capable men and women, its splendid children, its fine schools, its magnificent churches, its exceptional libraries, its mines, its farms, its factories, its intricate network of railroads, its vast resources, its wealth, its glorious past, its wonderful possibilities for the future. I am proud to have the opportunity to spend the evening of your centennial anniversary with you. I thank you for your exceedingly kind invitation, and close by expressing my profound appreciation of your whole-souled generosity and your liberal hospitality.

PROCLAMATION FOR "ROAD DAY."

To the People of the State, March 22, 1914.

Perhaps no subject has more thoroughly aroused the people of Illinois to action than has the question of improvement of our wagon roads.

In Illinois, we are entering upon a new era of road improvement. The new road law of the State, one of the most comprehensive under which any state is acting, has become operative.

It, therefore, seems fitting, as the time of year approaches when actual work can be done on our roads, that there should be set aside a day known as "Road Day," upon which should be commenced coordinated and intelligent work in improving the roadways of the State. In the observance of this day, particular attention should be called to the improvement of our dirt roads, and, so far as practicable, plans should be laid whereby actual work shall be initiated on a day, set aside for that purpose, and carried on continuously thenceforth.

The spirit of the new road law is one of cooperation; the cooperation of State officials with local officials, and, more especially, the cooperation of the people themeslves with all the officials in their endeavor to carry on efficient work.

Heretofore our road laws have been woefully inadequate and ineffective. The Tice law of 1913 now makes possible economical and well systematized efforts, without which efficient results cannot be obtained.

It is important that the local highway commissioners, the county superintendents of highways, the good roads organizations and commercial clubs, in their respective communities, unite in the adoption of a plan to organize and carry out this work so as to give the greatest number of citizens an opportunity to celebrate the observance of "Road Day" by practical work on the roads, such as road dragging, grading, draining, hauling and placing gravel, stone or other road material.

I have requested the State Highway Commission to suggest what class of work may be entered into advantageously.

It is also advisable that "Road Day" be observed in the schools, for the children of today are the citizens of tomorrow, and there should be read to the pupils in all the schools, on this day, a short treatise dealing with the subject of road improvement together with this Proclamation.

It is hoped that the observance of "Road Day" will result in the inauguration of practical work in the up-keep of the public roads of the State.

Now, therefore, for the purpose of bringing about the commencement of comprehensive and coordinated work upon the roadways of the whole State, I hereby designate Wednesday, April 15, 1914, as "Road Day"—not a holiday, but a hard-work day—upon which day, I respectfully urge the State Highway Commission, the State highway engineers, county superintendents of highways, town or district road officers, their employes and the public in general, to begin practical and effective work upon the improvement of highways of the State, to continue said work industriously and to "Pull Illinois out of the mud," which has so grievously clogged her rural transportation in the past.

In witness whereof, I, Edward F. Dunne, do hereunto set my hand and cause to be affixed the Great Seal of State this twenty-third day of March, A. D. 1914.

E. F. DUNNE, *Governor.*

THE HIGHWAYS OF ILLINOIS.

ILLINOIS HIGHWAY IMPROVEMENT ASSOCIATION, CHICAGO, MARCH 26, 1914.

Mr. Chairman and Gentlemen:

Illinois is the third State in the United States in population, wealth, and political and commercial importance.

It is the premier agricultural State of the United States. Its soil, on the average, is three times as valuable, in selling price, as the average soil of the United States, and yet in that important feature which gives value to the farm, to-wit: the roadways which lead to its gates, Illinois is scandalously and deplorably in the background as compared with most of the other progressive states of the Union.

In the matter of rates of improved roadways to unimproved roadways, Illinois holds today the hoodoo number of 23. In other words, 22 of the states of the United States have a greater ratio of improved roadways to unimproved roadways than has the great State of Illinois.

I was surprised to find, upon investigation, that Illinois has a smaller percentage of improved roads than has the United States in general. In other words, the average percentage of improved roads to unimproved roads in the whole of the United States on December 31, 1911, was ten and one-tenth per cent, while the average in the great State of Illinois was only nine and forty-seven hundredths per cent on the same date. This situation of affairs has been, and is, a reproach to the intelligence and a blemish on the reputation of this State.

Most of the public utilities of our State were under the control of private hands or corporations, practically without statutory or administrative regulation, until the year 1914. All of these utilities, however, owned by private corporations, have been, by the action of the last Legislature, brought within the control of the Public Utilities Commission of the State of Illinois, and will be compelled by that commission to give decent service to the public at reasonable rates; but the greatest utility of all, to-wit: the public roadways of the State, are absolutely under public control and in public ownership, and yet the public of the State of Illinois, owning and controlling this greatest of all utilities has failed in its duty to give

decent transportation to the farmers and citizens of Illinois, by making these roads decently passable.

Less than ten per cent of these roadways are improved, and for one-third of the year, the unimproved roads of this State are, in many extensive districts, practically impassable, and unfitted for use by the farmers of the State. As a result the production and marketing of crops is hindered; rural consumers are kept away from the stores of the merchants; pupils frequently kept from school; voters from political meetings, and from participation in elections, and social, fraternal and religious organizations are seriously impaired in their gatherings.

The impassability or difficulty of passage of these roads has contributed more than anything else to the isolation and unattractiveness of farm life, and has driven, in many cases, the best brain and brawn of our citizens from the farm land to the congested cities.

Alienists of standing ascribe much of the depression and melancholy, particularly among women, to the solitary life enforced upon the occupants of farms by reason of improper methods of intercommunication. It is high time that the backward and disgraceful position which Illinois occupies among the States in regard to the improvements of its roadways should be changed.

The amended law, placed upon our statute books by the last Legislature, known as House Bill No. 843, affords a scheme of State aid, and provides for cooperation between the State and the counties in such a way as to encourage and develop road building in the State of Illinois.

No class of people in the community should be more interested in the development of improved highways than the farmers of the State. These roadways are the only avenues leading to the gates of their farms, upon which they can get to market the products of their soil and industry, and the only avenues over which they can bring themselves and families into contact with their fellow beings.

It is true that road building costs money. It is true that it will entail some taxes, but I do not believe that, if the roadway building of the State is conducted upon sane and sensible lines, under which honest work will be done for fair compensation, there is a farmer in the State of Illinois whose property will not be enhanced in value several times the amount of taxation he may be compelled to pay under the new road law in the way of bringing about good roads in his neighborhood.

It is time for the intelligent and progressive people of Illinois to drag their State out of the disgraceful 23d position she occu-

pies among the states in the way of road building, and further drag the people of the State of Illinois "out of the mud", that so long has retarded in particular the great agricultural interests of this premier agricultural state.

Many voluntary organizations have taken this important question up and are cooperating forcefully and effectively with the public authorities of this State, and I am pleased to rank prominently among these organizations the "Illinois Highway Improvement Association," the organization to which you belong, and on behalf of the people of the State of Illinois I wish to congratulate you upon the interest you are taking in this important subject, and to thank you and other organizations of like character for the splendid support you are giving the State Highway Commission, and the local road building organizations of the different districts of the State, and I urge upon your organization and all other organizations of like character to cooperate with the State Highway Commission in and about making a great success of "Road Day" upon April 15, this year.

ON SUBWAYS IN CHICAGO.

STATEMENT TO THE PUBLIC, MARCH 30, 1914.

There is no need for argument that subways must be built in Chicago. It is inconceivable that a city of nearly 2,500,000 people, whose growth in population, commercial power, and world influence has only begun, should neglect the most modern scientific means of adequate transportation for its people. Chicago's citizens are intelligent enough to decide for themselves, and decide rightly, which method of making an immediate start in subway construction is best for the community's welfare.

The important issue at the present time is not whether the beginning should be made upon an initial subway in the heart of the city, to be developed and extended from time to time as the city's needs demand, and as the city's finances or credit is available or whether that beginning should be made upon a comprehensive city-wide plan upon the city's own cash and credit.

The important point, as I view it, is that no method of subway construction should be considered unless it provides, in unequivocal terms, for municipal ownership. Not only that, it would be destructive of the principle of municipal ownership to give existing traction companies a part proprietorship in subways by accepting financial aid from them in construction, or, in any other way, to allow these companies a controlling interest in subways.

During the framing of the traction ordinances that were passed in 1907, I was mayor of Chicago, and was opposed to allowing the traction companies to assume financial responsibility, in any degree, for Chicago's future subways. My views on this score have not changed during the seven years since elapsed. I do not consider that Chicago's experience with existing traction companies offers assurance that these corporations are desirable partners for the city in any large plan of betterments, intended to really solve the transportation problem.

Our battle for municipal ownership of Chicago's traction lines, during my occupancy of the mayor's office, was waged on the proved theory that private ownership of leading municipal utilities is responsible for a large proportion of political corruption in cities, as well as for the poor service rendered.

Experience teaches that the most modern cities, in Europe and America, are more and more coming to this view. It is being proved, also, in countless instances, that cities are generally competent to own and manage their leading utilities. They not only serve the people better, and more economically, by doing so, but they remove the constant incentive to graft and corruption that follows in the wake of private ownership.

It is my belief that Chicago now has one of the greatest opportunities in its history to declare its independence of further domination by its private traction monopoly. There should be an emphatic response to the appeal for a manifestation of true public spirit. If the chains of private monopoly are irksome, now is the time to break them rather than to make them stronger.

Passenger subways should be a municipal undertaking. I am personally inclined to the view that the city should build subways with its own funds, as rapidly as such funds are available, and then lease the subways, under proper safeguards, to skilled operators. It is merely a question of method—the goal should be the same in any method adopted, absolutely city ownership.

Whether the city starts subways on a comprehensive scale, at the outset, or in an initial progressive way, there can be no possible excuse for any surrender of these immensely valuable underground spaces to those who merely seek to further exploit and commercialize the people's needs.

Chicago, as a city of manifest destiny, needs every ounce of patriotism among its present citizens to forestall a calamity of this kind.

ON AMENDMENTS TO MUNICIPAL COURT LAW.

STATEMENT TO THE PUBLIC, MARCH 31, 1914.

This law was one of the 188 bills submitted to me as Governor for approval or disapproval, when the Forty-eighth General Assembly took a recess on June 20, 1913.

It reached me from the Attorney General's office on June 24, 1913. As printed in the session laws of the Forty-eighth General Assembly, it covers forty-two of the printed pages of that volume.

Between June 24 and June 30, when the Legislature reassembled, I was compelled to pass upon 132 bills, many of them of great length. It was absolutely impossible, in this brief time, to personally digest and analyze, critically, this act. I was advised by the Attorney General that section 56 of the act was unconstitutional.

Upon reading sections 2 and 56 of the act, my own experience as a judge and a lawyer, convinced me of the absolute correctness of the Attorney General's opinion. I therefore determined to veto the act. Some intimation must have reached the judges of the Municipal Court of my intention. A delegation of these judges, consisting of Judges Goodnow, Wells and Caverly, called upon me at my office and asked to be heard in objection to my impending veto.

I informed them that section 56 was plainly unconstitutional and illegal. They thereupon called my attention to the fact that under section 87 of the act, "The invalidity of any other portion of this act shall not affect the validity of any other portion thereof, which can be given effect without such invalid part," and promised me, as Governor, that if I would approve the act, they would bind the judges of the Municipal Court not to enforce the provisions of this section until its constitutionality and legality would be passed upon by the Supreme Court of this State.

They assured me that they represented the full municipal bench and this undertaking on their part was committed to writing, and, according to my recollection, signed by the three judges on behalf of the Municipal Court.

My recollection is also that they afterwards informed me that the full municipal bench approved this agreement. Upon this un-

derstanding, after conference with the Attorney General, I approved the act.

I am still of the opinion that section 56 is not only unconstitutional but dangerous to the community.

It permits any judge of the Municipal Court, on the application of any person in private life, no matter how irresponsible, to file a complaint against any citizen charging a felony, and, ipso facto, by the filing of such complaint that court takes jurisdiction of the defendant charged with such felony and places him on trial without any official investigation by any sworn body or official before assuming jurisdiction.

In my opinion, if this section becomes law, the Municipal Court will be flooded with complaints by private citizens to such a degree as to prevent any public official taking the charge and control of such prosecutions, in which event the same section provides that the court which receives the complaint "may appoint *any attorney-at-law* to act as prosecuting attorney.".

I do not know whether the judges of the Municipal Court are now of the opinion that this section is constitutional and valid. If they are of the opinion that it is constitutional and valid and are of the opinion that the section should be enforced, the law should be beaten at the polls.

The section is not only unconstitutional, but would be, if enforced, a serious invasion of the rights of citizens as heretofore enjoyed in the State of Illinois.

ON THE PARDON OF CHARLES A. KIMSEY.

STATEMENT TO THE PUBLIC, MARCH, 1914.

I have this day commuted the sentence of a convict who was convicted of an atrocious crime.

The crime was committed by an adult man with the consent of a female child incapable of giving legal consent under the law.

What justification have I for commuting this sentence and giving this man his liberty?

Every justification from standards which appeal to a human heart tinged with human sympathy.

As the result of this crime a babe has been born which for three years has borne upon its brow the brand of illegitimacy. An innocent-minded girl for the same long period has borne a blasted reputation. Throughout these three years of ignominy to the girl whose reputation has been blasted, and of criminality to the man whose reputation has been ruined and whose liberty has been taken from him, this man and girl have preserved an affection for each other, which must be, and is, more than lustful.

She, with the consent of her nearest relatives, and the man in the penitentiary, have jointly appealed to me to permit them to become man and wife, to have the iron bars of a penitentiary, which have separated them so long, torn apart; to permit them to be married under the laws of the State; to found a home; to legitimatize their child, and to become respectable members of society.

To refuse this appeal from them, their relatives and friends, and to keep the man longer in prison would have the effect of still longer compelling this woman to bear upon her breast the scarlet letter and to expose this child of three years of age, in its developing consciousness, to the taunts of its playmates, and would prevent this man and woman from condoning the past by living a virtuous life within the bonds of wedlock.

A strict adherence to the letter of the law which would keep this man in prison for twenty years longer, instead of vindicating society and the criminal code, would, in my opinion, subject society and its laws to well merited censure.

"To err is human, to forgive divine." The pardoning power was invested in the Governor of the State to cover just such cases, and, in my judgment, in commuting this man's sentence I follow the dictates of humanity, the teachings of Christianity, and exercise wisely and justly the discretion vested in me by the laws of the land.

DEMOCRATIC IDEALISM.

STATEMENT IN THE EAST ST. LOUIS GAZETTE, MARCH, 1914.

The subject, "Democratic Idealism," would have been broader two years ago than now. Webster says idealism means conception of the ideal, and the ideal is a mental standard or model which exists only in theory. In the last twelve months many Democratic ideals which previously existed only in theory have become facts in the statutes of Nation and State, and so are removed from the sphere of idealism into that of reality.

The Democratic party's ideals agree perfectly with the party name. Every school boy knows democracy means the rule of the people. Our fundamental ideal is complete rule of the common people. There was a time when Democrats were accused of being theorists only, incapable of putting their ideals into practice. Few persons would assert that now. A Democratic President and Democratic Congress have made a record unsurpassed in history for fulfilling party promises. Those who are familiar with the work of the last State Legislature in Illinois know now, and history will record that that Legislature put more progressive statutes into effect than any in the history of the State. When all these new measures have had time to produce their results the soundness of Democratic ideals will be demonstrated. There will be a more equal distribution of prosperity and a far more equal distribution of justice.

The Democratic party has long been known as a party of ideals. Let us take pride in that fact. Does any one ever talk of Republican ideals? If one were in doubt that the Republican party bases its sole appeal to the people upon material selfishness, that doubt would disappear upon consideration of the course Republican leaders are now following. They are crying hard times and praying for a panic. Their hope of return to power is based on the possibility of a financial condition which will impel men to consider dollars above principles and allow their selfish interests to blind them to the common good. But there will be no panic. The currency bill, which established in this country for the first time a democracy of finance, has made it impossible for cabals of vast wealth to precipitate panics for political or other purposes.

One Democratic ideal ceased to be a theory and became a fact when for the first time in a generation, Congress enacted a tariff law in which no special interest or lobby had any hand. This great measure unfettered industry and commerce and deprived monopoly of its control over production, distribution and prices. It was passed by a Congress unhampered by the pernicious lobby—the corrupt agent of special privilege,—which had been eliminated from the halls of the Capitol, where it had been intrenched for years, as a result of exposure made by the President. Democratic ideals became accomplished facts in the adoption of the first two amendments to the Constitution since 1870, namely, the imposition of a graduated income tax and the provision for electing Senators by direct vote of the people. The income tax, which is a feature of the new tariff law, makes the fortunes of the rich bear their proportionate part of the burden of taxation, and will probably bring into the Federal treasury one hundred million dollars a year. The direct election of Senators by popular vote is an epoch-making change in our system of government, the greatest victory for popular rule that has been won in fifty years.

In Illinois, after sixteen years of Republican control of the Illinois Legislature, the Forty-eighth General Assembly convened last January with a small plurality of Democrats elected to both Houses but without a majority.

In my inaugural message, I urged upon the Assembly certain legislative steps which I deemed necessary for the welfare of the commonwealth, and that I had advocated during the campaign previous to my election. Most of these measures met with the approval of the Legislature, but among the most important that I recommended, but which failed, were the initiative and referendum, and the abolition of the State Board of Equalization.

I recommended in my inaugural and special messages, the enactment of eighteen specific measures, twelve of which received the approval of the Assembly, and I had the pleasure of affixing my signature thereto, and thereby making them laws of the State of Illinois.

Democratic ideals are in harmony with the immense expenditures Illinois is making upon public charities which the last Legislature substantially increased. Not a dollar must be wasted but the unfortunates of the State must be given the best scientific care it is possible to buy, with kind and sympathetic treatment, good food and clean, comfortable living quarters. The friends of inmates of Illinois institutions,—hospitals, schools and homes,—may rest assured that all this will be provided under Democratic rule.

Nor do Democratic ideals bar from kindly consideration the prisoners in our reformatory and penitentiaries. They have offended against the laws and are righteously being punished; yet they are men and brothers and only too often have they been more sinned against than sinning. We shall try to build them up rather than destroy them; to treat them behind the bars so as to send them out into the world again, not broken but mended; with an opportunity to make good and with help rather than hindrance in their efforts to seize the opportunity.

In this instance I have mentioned and in many others, Democratic ideals are being wrought into reality in a way of which every Democrat should be proud. But there are still many ideals which remain theories. The Initiative and Referendum is one of these. The abolition of the State Board of Equalization is another. Let us work for a Democratic Legislature which will provide for constitutional amendments that will enable us to secure to the people these great reforms and keep step with the demands of the progressive Democracy now triumphant in the State and Nation.

AS TO TUBERCULIN TEST OF DAIRY HERDS.

STATEMENT TO THE PUBLIC, APRIL 8, 1914.

In view of certain letters of protest which Governor Dunne has received from commission men doing business at the Union Stock Yards in the City of Chicago and of letters which have been received from dairy men and stock dealers in relation to the proclamation issued by the Governor, dated November 12, 1913, and which proclamation went into effect January 1, 1914, and which in substance prohibited the importation into the State of Illinois, except for immediate slaughter, of cattle which did not have a certificate of health based upon the tuberculin test, the Governor desires to make this statement.

The said proclamation was issued only after a very deliberate and careful examination into the cattle-raising business of the State of Illinois. It was unanimously recommended by the Chief State Veterinarian and the Board of Live Stock Commissioners. When the matter of issuing the proclamation was under consideration, notice was given to the persons and interests opposed to its issuance. Those favoring, and those opposing, the issuance of the proclamation were given full opportnuity to be heard. The question of the accuracy and reliability of the tuberculin test was fully gone into.

The Governor then communicated with the United States Department of Agriculture, Bureau of Animal Industry, and ascertained that that bureau regarded the tuberculin test as accurate and reliable, and in no way injurious to cattle.

Most, if not all, of the stock-raising associations in the State have strongly commended the Governor's course in issuing this proclamation, but several commission men, doing business in and around the Union Stock Yards in Chicago, are opposed to its continuance.

In view of these facts, the Governor has again communicated with the United States Department of Agriculture, Bureau of Animal Industry, and asked that department to inform him, first, whether or not the tuberculin test is accurate and reliable, and, second, whether or not its administration could be injurious to

cattle. In answer to these inquiries, the Governor has received the following communication:

"UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
WASHINGTON, D. C.

Hon. Edward F. Dunne, Governor, State of Illinois, Springfield, Ill.

SIR: Referring to your letter of March 20, enclosing a copy of a proclamation issued by you upon November 12, 1913, and requesting information in regard to the status of the tuberculin test as a diagnostic agent for bovine tuberculosis of cattle, I have the honor to state that the tuberculin test, when properly applied by qualified veterinarians or other persons especially trained in the technique of the test and the physical diagnosis of diseases of animals, is considered the most reliable method known for the diagnosis of bovine tuberculosis. When the test is applied in the manner indicated post-mortem examinations will confirm the reactions to the test in approximately 98 per cent of the cases.

Tuberculin is a sterile extract of the product of the growth of tubercule bacilli in artificial culture media, and its injection into healthy cows is not capable of producing tuberculosis or any other disease, in fact, it has no more influence upon healthy cattle than would the injection of the same quantity of freshly boiled water. It has no influence in producing abortion in healthy cows, although in a few instances it has appeared as a possible factor in producing abortion in cows affected with advanced cases of tuberculosis.

Statistics obtained from herds of cattle in which the milk produced is weighed at each milking, show that the application of the tuberculin test has no influence whatever in reducing milk production.

Very respectfully,

(Signed) A. D. MELVIN,
Chief of Bureau."

The Governor places the above letter before the public and all parties interested for their impartial consideration.

TO PERMIT TRAVELING SALESMEN TO VOTE.

STATEMENT FOR "TRAVELING SALESMEN," APRIL 13, 1914.

I have for many years past been made aware by frequent communications from, and by conferences with, commercial travelers, of the great hardship imposed upon these hard working men in the way of compelling them to abandon their business, leave the road, and return to their homes upon registration day in order to secure the right to vote.

I am satisfied that, because of the provisions of the registration law, many thousand hard working, honest and patriotic men engaged in commercial business are deprived of the right to vote.

I believe that the law could be amended so as to permit bona fide commercial travelers bearing credentials from their employers to register at any time within ninety days of an election by making personal application to the Board of Election Commissioners. Upon such application being made to the Board of Election Commissioners at any time within ninety days preceding, and not less than ten days before the election, the Board of Election Commissioners could have ample opportunity to ascertain the right of the applicant to vote, and the fact that his business compelled him to be upon the road on registration day, and if they ascertained after careful examination, that the applicant was a citizen entitled to vote, and actively engaged as a traveling salesman, they could then so certify and place his name upon the register as a traveling salesman and relieve him from the necessity of personally registering his vote on registration day in his precinct.

The law, of course, would have to be carefully drawn so as not to permit fraudulent voting by persons not traveling salesmen, who might attempt to vote illegally under the provisions of the act.

MEDIATION PLAN IS FAVORED BY GOVERNOR OF ILLINOIS.

STATEMENT TO THE PUBLIC, APRIL 26, 1914.

After reading dispatches from Washington, announcing that Chile, Argentine and Brazil had tendered their good offices in an effort to settle the Mexican controversy, Governor Dunne last night made the following statement:

"The acceptance by this great and powerful country of the offer of mediation, tendered by our sister republics in South America, when we have the weak, distracted and war-torn Mexican nation practically under our heel, is one of the most magnanimous exhibitions of diplomatic generosity the world has ever seen. No one doubts that we could crush Mexico like an eggshell, if we saw fit to do so. The strong can afford to be generous. The acceptance of mediation averts a one-sided war, but redounds to the glory and generosity of a great, just and peace loving nation. It marks in history the beginning of the end of war, the commencement of disarmament, and the inauguration of arbitrament among nations. All honor to the great peace loving President of the United States and his Secretary of State."

ON MOBILIZATION OF ILLINOIS NATIONAL GUARD.

STATEMENT TO THE PUBLIC, MAY 1, 1914.

Mobilization of the Illinois National Guard at the present time, before any call for troops is made by the President, would be wholly unjustifiable, impractical, highly expensive, and not productive of any practical good results.

From present indications there will be no war with Mexico. If, unfortunately, war should arise, there will be ample time to mobilize and season the National Guard for active duty, after the President has issued his call for troops.

The seasoning should be done not in Illinois, but in a southern camp, contiguous to Mexico. If the National Guard, at its present strength, were mobilized in Springfield tomorrow, it would be at a cost to the State of probably $25,000 per day, no part of which would be paid by the Federal Government. This is a burden which the taxpayers of the State would resent in view of the fact that it would be of no practical value.

Mobilization of the National Guard before any call for troops is made would have the appearance of forcing the hand of the President, and would be playing into the hand of the belligerent jingo who wants war even when war is unjustifiable and unnecessary.

Moreover, mobilization of the National Guard at the present time without notice to the employers of the men in the National Guard would occasion them great loss and inconvenience which should only be entailed upon them when war is declared.

For these reasons no mobilization of the National Guard of Illinois will be ordered by the Governor at the present time.

ON THE DEATH OF MARINE, SAMUEL MEISENBERG, AT VERA CRUZ.

ADDRESS AT CHICAGO, MAY 14, 1914.

Mr. Chairman, Ladies and Gentlemen:

Nearly two thousand years ago, the Roman poet Horace declared: "Dulce et decorum pro patria mori."

The patriotism that inspired the poet in the days of Rome still stirs the breast of the modern patriot. To die for one's country is still a welcome and an honorable death for him who loves and honors his country. Patriotism still lives, and heroism still prevails.

At the call of duty but a short month ago, this young man whom we honor today, tore apart the ties which bound him to home and kin, and devoted himself to the cause of his country. Today he lies upon his bier, a willing sacrifice to the vindication of his country's honor.

Death is a tragedy in any shape, in any form, in any place, and in any cause, but a death that occurs in the defense of the honor of one's country is the sublimest of tragedies.

The mother and the kin of this brave lad are bowed today with grief and sorrow, but if ever sorrow can be assuaged, if ever grief can be mitigated, that sorrow has been assuaged, and that grief must be mitigated by the circumstances of his heroic death.

This young man and his brave young comrades leaped upon a foreign soil midst a rain of deadly bullets, and gave up their lives that the honor of their country might be vindicated.

When that order came, like the men at Balaklava,

> "Theirs not to make reply,
> Theirs not to reason why,
> Theirs but to do and die,"

they obeyed orders, faced death, and made the supreme sacrifice.

This young man, whom we are gathered together to honor, sprung from a race that was new to our soil; from a race without a country or a flag in the old land, but with a yearning for liberty and equality that found its consummation in this great Republic. New to its soil, he early learned to love the land of his parents'

adoption, and was ready to prove, and did prove, in a great crisis, his loyalty and fidelity to this land of liberty.

What a splendid testimonial, do we find here furnished at Vera Cruz of the absolute loyalty of our naturalized citizens to the cause of the American Republic. Read the names of the men who gallantly gave up their lives in the vindication of American honor in that southern port within the last few days, and you will find that the majority of them indicate their recent foreign extraction. Irish, French, German, Jewish, aye, even Armenian blood, mingled on the cobblestones of the streets of Vera Cruz in attestation of the splendid patriotism of the naturalized citizens of America. In the hour of trial, this Republic, in the personnel of its soldiers attested its cosmopolitan character.

Young Meisenberg was a Jew, the descendant of a race whose virility has been attested by its survival of and triumph over the persecutions of ages, and the proscriptions of centuries, a race whose intellectual strength has been attested in art, in science, in literature, in music, in the drama, in the professions, in the marts of trade, and upon the battlefield, and a race which is furnishing in this land of equality its full share of leadership in modern thought and action, and which is proving its right to the enjoyment of that equality of opportunity which is the proud boast of this country, by its loyalty to American institutions and to American laws.

All honor to the dead, and the race from which he sprung. As he died, cheerfully and proudly, so will other men of that same race, in crises yet to come, prove their fidelity to this Nation and its policies. Let us do honor to his memory, offer consolation to his kin, and congratulations to our mother country upon the life and death of such as he.

"Whether on the scaffold high or in the battle's van,
The noblest place for man to die is where he dies for man."

TO THE GRAND ARMY OF THE REPUBLIC.

ADDRESS AT MATTOON, JUNE 4, 1914.

Mr. Chairman and Gentlemen:

As Governor of this State, it was my pleasure and duty last Saturday, to review the Memorial Day parade in Chicago.

In the place of honor in that parade were a few of the gallant old men who a half-century ago offered their lives for the defense of their country's honor and integrity.

It was not the first time that I had witnessed such a parade. Forty years ago, when a boy, I witnessed the parade of gallant, able-bodied men in thousands; men who were in the prime of life, who had returned about ten years before from the battlefields of the South; returned to civil life, and who were engaged in the varied industries of the country.

What a contrast between the years 1874, and the year 1914. In 1874 thousands walked with the firm and steady stride of trained soldiers, with heads erect and shoulders squared. Last Saturday, there moved but two or three hundred men, gray-haired, stooped, and enfeebled by age.

Post after post moved slowly by, in numbers that were painfully few. The flag of Mulligan's post was followed by only three survivors, and I reflected that although the numbers were not there, the spirit of the thousands of men who served the Union hovered around that meager, age-burdened group of men, and the spirit of the country, which first created and instituted Memorial Day, was as strong in the year 1914 as it was in the sixties and seventies.

We are frequently charged in this age of commercialism with being materialistic and lacking in sentiment, and yet what better proof can there be that sentiment still reigns in this twentieth century than the fact that fifty years after the great Civil War, men and women will lay aside the duties of life and celebrate Memorial Day with as much solemnity and feeling as they did one-half century ago.

A few years ago I was in the city of Paris, and amongst the beautiful places of that beautiful city, I visited the Place de la Concorde. Around this beautiful place were arranged in circular form, the statues of the great cities of France, and as I gazed from one to

the other I noticed that one was covered with wreaths of immortelles. The name of the city was covered, and even the features of the figures were heaped up with these evidences of sentiment. I asked why was this statue so covered, and I was told that that statue represented the city of Strassburg, which by the fortunes of war was torn from the body politic of the French republic thirty years ago.

I was further told that, during all these thirty years, there was never a time when the statue of the city of Strassburg was not covered with fresh immortelles, and upon looking upon that flower-covered statue, I was filled with admiration for the sentimental character of a people who, for thirty years, never forgot a lost sister among the cities of France; and yet when I gazed upon the thousands of able-bodied men armed, accoutred for war who followed last Saturday the fading and failing posts of the Grand Army of the Republic, I congratulated myself that there was sentiment still in America as strong and as powerful as that sentiment which existed among the people of Paris, in relation to the lost city of Strassburg.

The men and women of America today have the same admiration and respect for the men living and dead who risked their lives in the War of the Rebellion as they had fifty years ago, when this Nation was first recovering from the shock of that great Civil War. With that admiration, respect and affection for the heroes of that day, they have and feel a supreme confidence that such a crisis shall never again occur in American history; that the American people today are one and indivisible, North and South, East and West; that the ties of the closest affection have recreated a Nation animated by a patriotic fervor that will make another civil war, not only improbable, but impossible.

I congratulate you men of the Grand Army of the Republic, who still live, upon the fact not only that you did your duty in the hour of the Nation's trial, but that you have been fortunate enough to possess such constitutions and physical strength as to have withstood the ravages of a half a century.

Let me offer you congratulations to the living on behalf of the people of this country, and gratitude, both to the living and the dead, for the glorious part that you have played in the history of this great Republic.

AS TO RENTAL OF STREETS BY CAR COMPANIES.

STATEMENT TO CHICAGO JOURNAL, JUNE 4, 1914.

I do not agree with Alderman Block, when he declares that the city of Chicago should "give the surface car companies the whole nickel to use for transportation purposes, but make them pay rental for the streets and license fees for their cars."

I am surprised that Alderman Block should take this position. That was the situation prior to the passage of the ordinance of 1907. Under this sort of treatment of the car companies by the city of Chicago, the city of Chicago received for many years the most scandalous service in the world, with little or no return to the city for rental or license fees.

The surrender by the city of its 55 per cent of the net earnings of the surface lines to the traction companies is too big a price to pay for the merger of the elevated and surface lines.

I am clearly of the opinion that the nickel fare will provide transportation of the highest efficiency on the surface lines under the present surface ordinance. If the efficient service is not now being given, it is not because of a lack of income.

The ordinance of 1907 should have secured to the city a share of the *gross receipts* instead of a share of the *net profits,* but nonetheless this ordinance does provide *before there shall be any net profits that there shall be first-class surface car service;* which can be enforced by the city council, and the board of supervising engineers, and paid for out of the income received from the nickels *before any division of net profits is made.*

Net profits have been declared and divided ever since the ordinance was passed, every six months, and if the service has not been made efficient the fault lies with the board of supervising engineers and the city council, *and does not result from a lack of funds.*

I believe a nickel fare will cover the cost of universal transfers in the event of a merger between the elevated and surface lines. Universal transfers upon such consolidation may *reduce* the net profits, but I believe will not wipe them out.

Rather than surrender 55 per cent of the net profits, now aggregating $13,000,000, and which is augmenting so rapidly in the city treasury, and which is available for the acquisition of these lines by

the city, I would favor the taking over of all the lines in the city, surface and elevated, by the city of Chicago by condemnation proceedings, and the operation of the same under municipal ownership, pursuant to the beneficent provisions of the public ownership act, passed upon my recommendation by the last Legislature, in 1913.

The city of Cleveland, Ohio, is enforcing a three-cent fare. The city of Detroit has within the last few days refused a proposition of what is practically a three-cent fare, made by the traction companies of that city, and has announced its intention of owning and operating the traction lines of that city for the benefit of the people.

If the city of Detroit can own and operate its traction lines and give a fare to the people of three cents or less, why should not the city of Chicago resolutely refuse to surrender to the traction companies the thirteen millions it now holds in its treasury for the building of traction lines and subways and the splendid income it is receiving year by year as additions to that fund?

That fund should be held sacredly by the city of Chicago for the acquisition of these lines, as it was intended by the people it should be, and utilize it for the building of subways, railway tracks and acquiring equipment, rather than donate it to the transportation companies in the city of Chicago.

To surrender these funds to the traction companies as the price of the so-called merger, would be throwing to the winds the result of a ten years' fight that the people of Chicago have made against the traction companies of that city.

THE STRUGGLE OF IRELAND FOR HOME RULE.

ADDRESS TO IRISH FELLOWSHIP CLUB OF CHICAGO.

Mr. Toastmaster and Gentlemen:

In modern history, I know of no more interesting, intellectual and moral struggle than that of the Irish people for local self-government.

After a trial of seven hundred years, fair-minded English statesmen conceded forty years ago that English government in Ireland has proved a failure. It was maintained during the last half of the last century only by repeated suspensions of the habeas corpus act, and the right of trial by jury and by the enactment of drastic and cruel coercion acts.

Rebellion succeeded rebellion, coercion act succeeded coercion act, and the jails and prisons of Ireland were, from time to time, filled with political prisoners, among them the leaders chosen by the Irish people to represent them in the English Parliament. The most intellectual and highly educated men of Ireland, who in private life and in political life, were men of unimpeachable character, were dragged to jail and there imprisoned because of their protests against cruel misgovernment as the result of that mis government.

Ireland alone among the nations of Europe was constantly decreasing in population. Famine and emigration became the order of the day. Government was administered by a bureaucracy stationed at Dublin castle, and appointed by the English Government.

Among those who suffered imprisonment because of their protests against this order of things were men like Parnell, Biggar, the Redmonds, Healy, O'Connor and John Mitchell, a grandfather of the present mayor of New York. John Boyle O'Reilly, O'Dougherty, and others were banished from the land. Others were sentenced to death, all because of vinile protests against atrocious misgovernment.

At length in the seventies of the nineteenth century, men arose to prominence in public life in Ireland, who discountenanced violence but appealed to reason. Among the first of these was Isaac Butt, the first great home rule leader.

With tremendous force and logic, he appealed to the English people and to the world for justice to Ireland. He asked for Ireland that right which each of the states of the United States possesses, the right of local self-government. His matchless eloquence and convincing arguments began to make an impress upon the opinion of England and the civilized world.

Carried off in the midst of his great propaganda, he was promptly succeeded by C. S. Parnell, Joseph Biggar, Timothy Healy, and other men of like integrity of character and purity of motive. These men in and out of the British Parliament presented Ireland's case with a logic and force that commanded the respect of the civilized world. They gathered around them younger men who adopted their methods, the Redmonds, T. P. O'Connor, Justin McCarthy, and a host of other brilliant men who from that time down to the present time have been waging an intellectual and moral fight for Irish self-government in a manner that has forced conviction even upon the English people.

At length the cry of Ireland for justice and for self-government found enlodgment in the minds of English statesmen, and among the first, the great Gladstone, was forced to admit that England's policy of governing Ireland in the past was a failure, and that other methods would have to be pursued to bring about a peaceful understanding between the English and the Irish peoples.

Gladstone, with all his power of statesmanship, advocated a change of policy, and the substitution of conciliation and fair treatment for the mailed hand of oppression. He succeeded in converting the democracy of Great Britain to his views and passed a home rule measure through the House of Commons, only to have it strangled in the House of Lords.

With the death of Gladstone, and the failure of his program the struggle for Irish self-government seemed to have been lost. The Irish people with a steadfastness and a fortitude unequaled in history, continued to send back to London, as their parliamentary representatives, men who followed the policies of Butt and Parnell, and these men with indomitable persistency kept the presentation of Ireland's case before the English Parliament from that day down to the present time.

Within the last two or three years they have won over to their cause the democracy of Great Britain, and the democracy of Ireland, and the democracy of Britain have at last placed upon the English statute books a measure of home rule that seems to be satisfactory to most of the leaders of these democracies.

I have not analyzed the provisions of this act. As an American citizen, living in this free land, it will not affect me or you

in our civil life. I am not prepared to say that it is without flaw. It suffices for me to know that it meets with the approval of the great mass of Irish people, and the great mass of English people.

My sympathy goes out to any who are suffering from misgovernment, and my congratulations go out to any people who are escaping from misgovernment.

I congratulate the democracies of Great Britain and Ireland that they have reached an understanding. I care not if that understanding fails to meet the approval of the privileged class, if the mass of the Irish people, and the mass of the English people are satisfied with this enactment.

We who are not citizens or subjects of those lands must reach the conclusion that they are the best judges of their political future. That there are some of the British and some of the Irish people who are not content with its provisions is a matter of regret, but there are minorities in every country, and the will of the people, as expressed by the majority, must determine the policies of government in every country.

Some of the extreme Irish nationalists under the leadership of William O'Brien have not voiced their approval of this law, but failed to vote thereon. Others of the Irish people, under the leadership of Sir Edward Carson are bitterly opposed to the law, but both of these elements are inconsiderable in number, and, I believe, unreasonable in their attitudes.

But six counties out of thirty-two follow the leadership of Sir Edward Carson, and but six members of Parliament, as I am informed, under the leadership of William O'Brien, refused to voice their approval of the law.

Out of this struggle of over forty years, the Irish home rule law of Asquith has emerged as the settlement of a great racial controversy. Settled not by a resort to bullets and brute force but as the result of intellectual combat and appeal to the conscience of the British empire.

I trust that this settlement may alleviate the racial feud of even seven hundred years, and bring peace and prosperity to the Irish and the English peoples.

In conclusion, let me suggest to the nonassenting O'Brienites and the protesting and dissatisfied Carsonites that the poetic advice of the great Irish poet, Thomas Moore, is as good today as it was a century ago.

> "Erin, thy silent tear never shall cease.
> Erin, thy languid smile ne'er shall increase
> Till, like the rainbow's light,
> Thy various tints unite
> To form in Heaven's light one arch of Peace."

THE GERMAN IN ILLINOIS.

AT THE UNVEILING OF GOETHE'S MONUMENT, CHICAGO, JUNE 13, 1914.

Mr. Chairman, Ladies and Gentlemen:

Nearly a century after his death and in a country on the opposite side of the world from where he wrote and labored, we meet today to unveil a statue to the greatest dramatist and author who ever wrote in the vigorous, virile language of the German nation, Johann Wolfgang Von Goethe.

How comes it, it may be asked in this far away country, so remote from the scenes of his labors, that a people, speaking a different language, in a nation different in character, should be paying so high a tribute to the genius of this man.

It is because: first, Goethe is so great a character that admiration for his genius is world-wide, and not limited to the nation of his birth and tongue; and, second, it is because there is in this great State a Germanic strain which has given to this State a population of probably 1,100,000 souls, or nearly twenty per cent of its total strength, and it is because these vigorous, virile Germans who have been transplanted upon the fertile soil of Illinois have brought with them not only the grand old German tongue, but the German love of liberty, love of justice, and love of German literature and its highest exponents.

This land of ours today is the greatest Republic upon earth, and at the same time the most cosmopolitan in character. Originally discovered by an Italian, it was first settled by the Anglo Saxons, the French and the Spanish. In the struggle between the original settlers, the Anglo Saxons forced the French to the north and the Spanish to the south, thus reserving to the Anglo Saxon settlers the richest and most fertile lands on the face of the earth. The Anglo Saxons did not long continue to hold exclusive sway.

When it became known in Europe that there lay between the St. Lawrence and the Gulf of Mexico a stretch of country of marvelous richness of soil and mineral wealth, the daring and enterprising men from other countries of Europe began coming to our shores.

Among the first of these were the Germans, the Celts and the Scandinavians, and these virile people, pushing their way inward from the Atlantic, began to develop in the heart of this great, fertile country the boundless resources placed there by nature.

During the first half of the nineteenth century most of the emigration to America was from Germany, Ireland and Scandinavia, their numbers being in the order of their mention. In the latter half of the nineteenth century and up to the present date in the twentieth century, these three great sources of emigration were augmented by the emigrants from southern and western Europe, so that today it is probably true that there is not a country in Europe that has not more or less representation among the American people.

As the result it has been truthfully said that "Europe and not England is the mother country of America." Among all these different races that have contributed to build up and develop this great cosmopolitan Republic, there is none perhaps who has left a more powerful impress upon the history of this country and contributed more effectually to its tremendous development than the men and women who have come from the land whose language and literature Goethe has immortalized.

Possessing the same physical strength, capacity for endurance and intellectual power that made the German race irresistible, even as against the trained legions of Rome, it has displayed in this country the same vigor, the same courage, the same intelligence and the same capacity for independence and self-control.

The first great German settlement was at Germantown, Pa., about the end of the seventeenth century, which city was incorporated by them in 1691, but dissolved soon afterwards as the historian naively relates, "because no one would hold public office." I believe this is the only incident of its character in American history.

Very early in the history of the State of Illinois, the German immigrant made himself felt in the shaping of public events in this State. Captain Leonard Helm and Captain Joseph Bowman, German Virginians, were two of the ablest and most courageous of the captains who invaded this State in the interest of the American Republic during the War of the Revolution under the leadership of George Rogers Clark.

Baron Steuben abandoned a comfortable home and position in Prussia to enlist as a volunteer in the American Army, and rendered invaluable services under Washington, particularly in the siege of Yorktown.

Baron de Kalb was also of the same race and rendered splendid service to the cause of the revolutionists.

As early as 1820, German emigrants located in St. Clair County, in Belleville, until recently the principal city of that county. Belle-

ville has always been regarded as a great German center, and for many years German Americans filled all the public offices of that county.

Edward Rutz, three times State Treasurer, was a German who hailed from Belleville; Gustavus Koerner, also from Belleville, was elected Lieutenant Governor of the State of Illinois, and afterwards was appointed Minister to Spain.

Among the other eminent men of German extraction whose names are indelibly inscribed upon the history of this State are those of Samuel Etter, a former Superintendent of Public Instruction; Frederick Hecker, Colonel, Twenty-fourth Illinois Volunteers; Francis A. Hoffman, a former Lieutenant Governor of this State; Anton C. Hesing, the brilliant journalist; Washington Hesing, his son, a former postmaster of Chicago; W. C. Kueffner, Colonel, 149th Illinois Volunteers, and Herman Raster, editor and journalist, all of whom have been gathered to their long reward.

The loyalty of the German-American emigrant has never been questioned. In peace and in war he has been loyal to the laws and institutions of his adopted country. Over 18,000 Germans or descendants of Germans volunteered and did valiant service in the cause of the Union from the State of Illinois.

The Twenty-fourth Illinois, commanded by Hecker and the Forty-third Illinois, commanded by Colonel Engelman, were composed almost solidly of German-Americans, and the sons of German-Americans. Franz Sigel, of the neighboring State of Missouri, was one of the most brilliant generals in the Union Army, and Carl Schurz was probably one of the leading statesmen of his day.

Subsequent to these times, there arose to public prominence in the State of Illinois one of the most gifted and courageous men whose name appears in the history of Illinois, a scholar, a philosopher, a soldier, a jurist, afterwards one of the greatest Governors this State has ever had, John P. Altgeld.

This great leader of public thought, this great humanitarian, this man of courage and conviction has placed his name high among the statesmen of the United States, and earned for himself the honor recently conferred upon him by the Legislature of this great State when it authorized the erection to his memory of a statue to be built at the State's expense.

Meet and proper then is it that German-American people of this State should, at their own expense, in one of the most beautiful of our parks, located where it is surrounded by the homes of American citizens of German descent, erect a monument to commemorate the genius of the greatest of German dramatists and authors, the immortal creator of "Faust."

Meet and proper is it that the statue, idealizing and typifying the genius of Goethe, the Shakespeare of Germany, should be placed in this beautiful park.

The German in his native land, and the German who has adopted as his country this free land of ours, has invariably been a student, a man of culture and a lover of literature. His is a race of students, philosophers, scientists, literati and artists.

Not only has the German race placed the Fatherland among the greatest nations of the earth by his warlike prowess, and his splendid courage, but, by his love of literature, his love of art and science, and his studious, artistic and philosophical temperament, he has placed that same race among the vanguard of the nations in art, in science, in sculpture, in music, and in literature.

I congratulate the German people of Chicago upon the fact that they are here today to dedicate this magnificent monument to the memory of the immortal Goethe, and that they soon will be permitted in this same park to assembly upon a like occasion to unveil the monument erected by a grateful State to the greatest of German-American Illinoisans, John P. Altgeld.

SAFETY FIRST AND GRADE CROSSINGS.

LETTER TO ORANGE JUDD FARMER, JUNE 16, 1914.

Your letter entitled "Safety First" at grade crossings, is timely and intelligent.

Several months ago I invited the executive officers of most of the railroads in the State of Illinois to meet me in Springfield to discuss this very subject.

I pointed out to them that, by actual experience, in touring the State, I discovered there were numberless crossings in the State of Illinois that were unnecessarily dangerous, and that the danger could be obviated by the expenditure of a very little amount of money.

First. The "hog-back" crossing where the wagon road rose abruptly to a railroad crossing and descended abruptly. In such cases an automobile engine is very frequently "killed" right upon the crossing by reason of the precipitous approach. This I pointed out could be obviated by filling up on each side of the railroad track to the outer edge of the right of way. They conceded this could be done.

Second. I pointed out the danger from "oblique" crossings. I advised them in all cases of "oblique" crossings by cooperation with the highway commissioners they could divert the "oblique" crossing to a right-angular crossing across the track, and having crossed the track then again straightening the wagon road the other side of the crossing. They conceded that this could be done by cooperation with the highway commissioners in each county.

Third. I pointed out that crossings became dangerous because of the existence of sheds, buildings or shrubbery close to the intersection from the railroad track to the wagon road, and that such obstructions could be cut down or moved a distance from the track.

None of these changes, in my opinion, would have entailed much expense, and would obviate many of the dangerous railroad crossings. To their credit, the railroad managers agreed with me that they would cooperate in making these changes. Some of the roads have sent in blue prints, marking all the dangerous crossings. Within the last few days I have again taken the matter up with the Public Utilities Commission, and urged them to insist upon these changes.

ILLINOIS TROOPS AT KENESAW MOUNTAIN.

AT THE UNVEILING OF THE MONUMENT AT KENESAW MOUNTAIN, JUNE 27, 1914.

Mr. Chairman and Gentlemen:

Fifty years ago today, near the place where we now stand, three thousand brave men gave up their lives in one of the most terrible conflicts of the Civil War.

We are not here today to celebrate a victory or to commemorate a defeat.

In that terrible struggle men on the one side believed they were fighting for the preservation of their country, and men on the other side believed they were fighting for the defense of their homes and firesides.

We are not here to criticise motives nor inquire into the development of the political issues which led to that terrible conflict.

We are here with the deepest respect to the dead who died on both sides, to extend our tribute of praise and commemorate the bravery and fortitude displayed by the sons of Illinois who engaged in that memorable conflict.

A half century has rolled by, and with it all of the animosity and all of the bitterness that then existed between the combatants have disappeared.

The men of the North and the men of the South, many years ago, laid aside all bitterness. They have become and will ever remain brothers and compatriots; fellow citizens of the same land; copatriots in the same country, actuated by the desire that this great Republic and its free institutions shall become perpetual.

Over the yawning graves of a half century ago, the suns and showers of fifty years have spread a mantle of verdure and forgetfulness. It remains only for us to mark the spot and honor the bravery of the sons of Illinois who participated in the battle of Kenesaw Mountain.

Be it said to the credit of both the soldiers of the North and the soldiers of the South that never was more desperate bravery

shown, on both sides, than in the stubbornly contested battle where we have erected and now unveil the monument erected by the State of Illinois, in commemoration of the bravery of its sons.

On the 27th day of June, 1864, where we now stand, by order of General Sherman, two determined assaults were made upon the entrenched lines of the Confederates, and in those terrible assaults the Federal troops lost General Harker and General McCook. Colonel Rice and many other officers were badly wounded, the aggregate Federal loss being about three thousand.

The Confederates and the Federals both displayed a tenacity and a bravery seldom recorded upon the pages of history.

In that bloody contest the Illinois troops played a most signal and glorious part. Among the Federal troops who were actively engaged on that day in the battle of Kenesaw Mountain, and from that day up to July 2 were the following Illinois: 10th, 12th, 16th, 20th, 24th, 25th, 26th, 27th, 31st, 32d, 34th, 35th, 36th, 38th, 40th, 41st, 42d, 44th, 51st, 52d, 55th, 59th, 60th, 64th, 73d, 74th, 75th, 78th, 79th, 80th, 84th, 85th, 86th, 88th, 89th, 90th, 95th, 96th, 101st, 103rd, 107th, 111th, 116th, 125th, and 127th Regiments of Infantry; the 16th Regiment of Cavalry, and batteries A, C, D, F, H, and I, of the First Regiment, Light Artillery, and Battery F of the Second Regiment, Light Artillery.

Would that time might permit me to record the names in detail of the gallant men who gave up their lives in that awful carnage, but the list is so long and the record so glorious that time forbids, and to mention one, without mentioning all, would be an invidious distinction.

A grateful State here today sees fit to mark the spot where such heroism was displayed, and to do honor to the Illinois regiments which were engaged in that battle. We unveil this monument to the memory of these brave Illinoisans in a spirit of admiration and respect for the courage of the other brave men who gave up their lives on both sides in this battle, but in particular to commemorate, at the direction of the Legislature of Illinois, the gallantry and heroism of the Illinois troops.

Let us confidently hope, aye, let us more than hope, let us confidently predict, that such another conflict shall never arise between the citizens of this great Republic.

The era of war between nations is coming to a close; the era of war between American citizens has been closed forever.

In the words of the poet Finch, let us recite here today his beautiful tribute to the dead soldiers of the North and the South:

By the flow of the inland river,
Whence the fleets of iron have fled,
Where the blades of the grave-grass quiver,
Asleep are the ranks of the dead:

Under the sod and the dew,
Waiting the judgment day;
Under the one, the Blue;
Under the other, the Gray.

No more shall the war cry sever,
Or the winding rivers be red;
They banish our anger forever,
When they laurel the graves of our dead:

Under the sod and the dew,
Waiting the judgment day;
Love and tears for the Blue;
Tears and love for the Gray.

TRIBUTE TO JOHN A. LOGAN.

ADDRESS AT MURPHYSBORO, ILLINOIS, AUGUST 3, 1914.

Mr. Chairman, Ladies and Gentlemen:

It is with sincere pleasure that I am here today to participate officially and as an individual in a movement which has for its object the erection in this city, of a monument or some other suitable memorial to commemorate the distinguished services rendered to the State of Illinois and the United States of America by its eminent citizen, soldier, orator and statesman, John A. Logan.

Aside from the name of the immortal Lincoln, and, perhaps, the eminent patriot and statesman, Stephen A. Douglas, there are few, if any, names which are treasured with such sincere admiration and affection as that of the "Black Eagle" of the Civil War, General Logan.

A native of Illinois, he was among the first of its citizens to volunteer at his country's call in the war against Mexico. Although a mere boy at that time, he so distinguished himself in action as to earn a commission as an officer. At the outbreak of the Civil War, by the sheer force of his native ability and inborn eloquence, he had attained the distinction of being a member of the Congress of the United States.

He was one of the followers at that time of Stephen A. Douglas, but when the flag of the Nation was spat upon by the rebel guns before Fort Sumter, he, like Douglas, reached the conclusion that all parties must rally to the defense of the Republic.

He resigned from Congress, accepted a commission as Colonel of the Thirty-first Illinois, and thence rose by reason of his indomitable bravery and reckless audacity on the battlefield to the position of Major General of the United States Army.

From Fort Donelson to Atlanta, he was engaged in some of the most bitterly contested battles of the Civil War, and was in at the death at Johnson's surrender.

His fellow citizens of this State were never tired of honoring him in civil life. He possessed a rare combination of eloquence, patriotism, courage and mental brilliancy which made him prominent in civil and military life.

As Blaine declared, there were greater statesmen in the council chambers of the State during his day and greater generals upon the

battlefield, but "there was none among them all who combined so much in one person—so much ability as a soldier and a statesman."

A heroic statue in Grant Park, Chicago, well typifies in artistic bronze his animated valor upon the battlefield, but to the shame of his native place, there has not yet been erected in this vicinity any memorial to his greatness.

We are here for the purpose of remedying this situation. It is proposed that, by voluntary contribution, a statue or other memorial shall be erected in the city of Murphysboro, the scene of his early life—a statue or other memorial worthy of his greatness in history.

I believe that the appeal to the citizens of Illinois for the creation of a fund to accomplish this purpose will fall upon willing ears and upon generous hearts. It is the duty of the citizens of Illinois, aye, and of the surrounding states, fittingly to commemorate the memory of this great citizen-soldier in the way proposed by this committee, and knowing, as I think I do, the affection and love in which the memory of Logan is held by the citizens of Illinois, I predict that the objects, sought to be attained by this meeting and others to follow, will be successfully achieved before many months roll by.

I cordially recommend the objects of this association to the citizens of Illinois and appeal to them to subscribe to its most praiseworthy aims and objects.

THE DUTY OF LABOR TO HUMANITY.

ADDRESS ON LABOR DAY, SEPTEMBER 7, 1914.

Mr. Chairman, Ladies and Gentlemen:

In nearly every State in the Union, Labor Day has appropriately been declared a legal holiday as a tribute to the dignity of labor. The day should be utilized by devoting it to the discussion of affairs which concern the social and economic welfare of the producing classes, not only the mechanic, the artisan and the laboring man, who are wisely and intelligently organized in great cooperative bodies known as unions, but also the farm laborer, the small farmer, the land tenant, the unorganized but intelligent enfranchised common laborer, the retail merchant, the doctor and the lawyer of limited practice.

While primarily this day has been designed for the organized masses of manual workmen, let us view it in its broadest and most patriotic aspect as the day when our producing classes of all kinds take stock of their conditions, measure their progress and present to the throne of American selection, public opinion, their petitions for consideration of their needs.

Our governmental system is based on the theory of majority rule and control. We secure the alignment of the majority upon any question of public policy by appeal to the fairness, the judgment, the good sense and the humanity of our fellow men. We progress in this country only as public sentiment becomes enlightened and gives its consent. Legislative reforms are impossible without the sanction of public opinion. How well we understand this is demonstrated every day in the numerous movements inaugurated to secure desired reforms. The first step is always a campaign of public education. The avenues by which the public is reached to carry on these campaigns, are always accessible in a land where free speech and a free press are guaranteed by law.

The great mass of the people is of a generous nature, possesses an open mind, patriotic impulses and humane instincts. The public is ever ready to listen to complaint of injustice, and when once convinced that injustice is being done, will promptly right the wrong complained of.

Where does public sentiment crystallize? To whom is the appeal in all these campaigns made? Who are the rulers of America today? The producing classes. The producing class in this Republic is the backbone of national integrity and solidarity. Upon its intelligence, purity and patriotism have depended the life and strength of the government. From it has been recruited the world's armies and navies. That class, directly or indirectly, pays the taxes, resists the political disease of graft and corruption, and the social disease of aristocracy; maintains the purity and virility of the race, replenishes our population and supplies our most progressive and aggressive citizens. From this class are selected our leaders in every movement, and from its ranks come most of our speakers, lawmakers, physicians, surgeons, writers, artists and industrial geniuses.

So today let us consider this as the holiday of all wealth-producing and conserving forces, and look upon it as an opportunity for the creation and the development of wholesome, enlightened, just and humane public sentiment.

The workingmen exert a preponderating influence by reason of their numbers and the power of their organizations. To them, more than any other body of our citizenship, I believe, is due the credit for the present healthful public sentiment upon all questions affecting the social welfare of our people. In calling attention to your own personal wants and needs you have opened the public eye to many of our social abuses and injustices, to the remedy of which not only the toiler but many other earnest men and women are directing their efforts and energies all over the land. The demand rings clear and true that all men must have an equal chance to participate in the opportunities, the work and the profits of our national development.

We are insisting that the weak, the helpless, the sick, the poor, the crippled, the insane, the feeble-minded, the delinquent, the dependent, the widowed mother, and orphaned child, shall receive first, kindness and sympathy, and second, skillful and scientific treatment to the end that their ills may be relieved and the public safeguarded against the evil effects of the social and physical diseases which have produced them.

In all legislation affecting them, the workingman is interested. No state has made greater progress in these matters than Illinois. Our State should lead. We should have the best system of poor relief, the best methods of employing our prisoners, the most intelligent treatment of our delinquent boys and girls, the most modern and highly specialized and socialized courts, the best hospitals for the insane, the most highly developed system of education, and the most perfect code of charitable,

philanthropic and correctional laws. Our institutions of every type and character should stand in efficiency and humanity higher than those of any other state. We should never have to say "This is the way they do in New York or Massachusetts." We should always be able to say, "This is our way," and other states should be copying from us.

It has been my pleasure and privilege to foster and encourage such a sentiment. I have done all in my power as Chief Executive to raise our eleemosynary institutions to the highest possible plane, and to give to the State a code of social advancement.

The last two years in Illinois have been rich in administration and legislation along these lines. Directly touching labor itself, but none the less affecting the social order at vital point, are the numerous acts of our last General Assembly, many of which were sought by organized labor itself. I may be pardoned if I mention briefly a few of these laws:

The creation of wage loan corporations, an act permitting the organization of corporations to make loans, secured by assignment of wages, and protecting the borrower at every point.

Wash rooms for employes in certain industries, such as coal mines, steel mills, factories, machine shops, where men and women become covered with grease, dust, grime and perspiration to such an extent as to endanger their health.

Protection for chauffeurs, requiring shields or hoods to protect them from wind, dust and inclement weather.

Revision of the mine examining board law, the object being to provide more safety for persons employed in and about coal mines.

Amendment to the shot firers law, which amendment defines a "dead hole" and materially safeguards the life and limb of the miner.

The State Industrial law, making provision for compensation for accidents, injuries or death of employes. This act is one of the most important in the program. Under its provision, compensation is made for injuries not resulting in death. It provides the methods by which awards for damages shall be computed. It fixes the amount of compensation for partial disability and for permanent disfigurement. It creates an Industrial Board which shall determine all disputes between employer and employe in the way and manner provided by the law itself. Claims and awards made under this act are paramount liens on all property of employers.

A most humane enactment was Senate bill 539, which provides for the employment of convicts who have less than five years to serve, on road work outside the walls of the prison.

This system has been inaugurated and has given general satisfaction, both to the public and to the prisoners.

An act requiring that all explosives used in coal mines, be stamped to show that they conform with the standards of the United States Bureau of Mines. Such explosives must be stored in magazines approved by the State Mine Inspector.

Amendment to fire fighting and rescue station act which provides for the employment of two extra assistants instead of one on each mine rescue car.

Amendment to the act of 1911, providing for fire fighting equipment in coal mines. This act requires a larger equipment than the original act.

The law creating a mining investigation commission to investigate methods and conditions of mining coal, the safety of lives and property and the conservation of coal deposits.

Revision of the act of 1911 in relation to coal mines by providing more frequent and more thorough inspection of mines and many additional safeguards for the protection of life, health and limb.

An act, amending the law, providing for inspection of equipment and operation of safety appliances on railroads. This act provides for thorough inspection of the surface and track conditions and train yards and of the sanitary condition of passenger coaches and investigation of train accidents.

Semimonthly payments of wages and salaries by persons, firms, corporations and municipalities.

A law limiting members of fire departments of cities and villages to ten consecutive hours in a day and fourteen consecutive hours at night.

An act requiring railroad corporations to equip all passenger locomotives with headlights of sufficient candlepower to enable the engineer to discern an object the size of a man on the track, at a distance of eight hundred feet from the headlight, and all freight locomotives exclusive of those in switching and transfer service, with a headlight of sufficient candlepower to enable the engineer to discern an object the size of a man upon the track at a distance of four hundred fifty feet from the headlight.

These do not represent all that labor asked for nor all to which it may be justly entitled. The rights and justice of labor will not prevail of their own volition. You must preach them; you must push them; you must impress them upon the public mind; you must show your fellow men that they are right and just and convince him of your worthiness of them.

First, last and all the time it should be your object and purpose to carry the light of reason and humanity into the dark

places. Never forget the weak or unfortunate, nor overlook the rights of those masses who toil as you do but are not affiliated with your movement. Recognize in your strength the power not alone to help yourselves, but the ability to improve the social condition of the whole people.

Our celebration of Labor Day this year will not be complete without congratulations upon the part of labor itself that as a nation we are at peace with the world. In war, labor receives the first shock and then continues to suffer the pain and bear the burden.

President Wilson's peace policy has more than demonstrated its worth. It has contributed to our industrial, commercial and political prestige among the nations of the world. It has increased our self respect as a people. It has saved thousands of lives that would have been sacrificed on the battlefield and in the camp hospital. It has conserved our national resources for scores of years to come. It has protected us against entanglements with foreign nations. It has proven to neighboring nations and the world our good faith and disinterestedness. It has exalted democracy. It has brought nearer to the old world that day when the people shall hold the power, and the nod of the king for the slaughter of his subjects shall be no longer obeyed.

It has struck a fatal blow at the divine right of kings and the aristocracy of birth. It has strengthened our faith in the Christian religion. It has found its vindication in the gory fields of Europe, its ruined cities, its crowded hospitals and its desolated homes.

It is no wonder that the London News says: "The example of the United States must hereafter become the model of the civilized world." Verily, his peace policy has been the crowning glory of President Wilson's administration. It has silenced the war party and the jingo and I believe has united our people in its unanimous support and approval.

In the years to come when the full effects of our policy of peace shall be realized and we shall view it clearly against the dark background of this period, we shall, as a nation, be proud of the course pursued and shall read in the faces of our fellow men the acknowledgment of eternal benefits conferred thereby upon the rest of the world.

Among the half dozen markers scattered at centurial intervals along the path of the world's progress, this labor of President Wilson in behalf of peace and the brotherhood of man will be found standing higher and nobler than all the rest.

To it, labor is indebted to a degree that you and I cannot fathom, for no man can estimate the distress and the ruin, the

anguish and the sorrow that trail the footsteps of war, even through many succeeding generations.

Let us today, therefore, dedicate ourselves to the cause of peace, of humanity, brotherhood and fraternity. Let our only warfare be upon those evils which debase our citizenship, corrupt our Government, deteriorate our efficiency, rob us of our strength of character, dull our humane instincts and blind us to the needs and wants of our fellow men.

Above all, at this great epoch in our country's history, when we are at peace with all mankind while most of the great nations of Europe are at each other's throats, let us preserve industrial peace. We are now, fortunately for us, the greatest producing nation on the face of the globe. We must for months to come be the principal reliance of Europe for food, clothing and all the other necessities of life. Our wonderful productivity must and will be doubled, aye trebled, in the near future. A wonderful era of increased production is before us, which should give employment soon for all who are willing to work.

Let neither capital nor labor by senseless difference spoil the great opportunities which lie before us. Let there be neither industrial nor physical warfare in this great bountifully endowed and fortunate Republic. If we preserve industrial peace as we have preserved international peace, an era of bounty and prosperity lies before us such as no nation has ever before enjoyed; a prosperity which must and will be shared by both employer and employe throughout the length and breadth of the whole Republic.

DESIGNATES A DAY FOR PRAYER FOR PEACE.

A Proclamation for Peace Services, September 10, 1914.

Whereas, Many of the great nations of the world are now engaged in a sanguinary war, which has caused and is causing enormous loss of human life and property and menacing the future of civilization; and

Whereas, Our own State and Nation have as adopted citizens hundreds of thousands of the sons and daughters of the nations at war whose hearts are wrung with grief over the disasters befalling their kith and kin; and

Whereas, All the citizens of this State and Nation are appalled at the awful destruction of life and property and anxious for its speedy termination; and

Whereas, A war fever and blood lust has apparently temporarily deranged the leaders of the warring nations, and hope for early peace lies only in an appeal to Almighty God; and

Whereas, The President of the United States has designated Sunday, October 4, 1914, as a day of prayer and supplication to Him for the restoration of peace:

Now, therefore, I, Edward F. Dunne, Governor of the State of Illinois, do hereby designate Sunday, the 4th day of October next, as a day of meditation and conference on the subject of the world's peace, and of prayer and supplication to Almighty God that strife may be ended among the warring nations, and respectfully request that all the people of this State assemble on that day in their respective churches and synagogues and other places of public meeting to appeal to the Almighty in His divine mercy to end this awful war and its attendant horrors.

In witness whereof, I have hereunto set my hand and caused the seal of the State of Illinois to be affixed.

Done at Springfield, Illinois, this 9th day of September, in the year of our Lord nineteen hundred and fourteen and of the independence of the United States of America the one hundred and thirty-ninth.

A PLEA FOR A UNITED DEMOCRACY.

To the Democratic State Convention, September 18, 1914.

Fellow Democrats:

I much appreciate the honor conferred in asking me to preside over this convention, an honor which I accept with much pleasure.

Our primary election has been held, and our leaders in the coming political conflict have been selected by the untrammeled vote of the people. We all had our favorite candidates. We all advocated their selection, and, in advocating the selection of these candidates, each of us believed that his favorite candidate would be the strongest before the people and should have been selected, but we always believed, whatever the result of the primary, that the will of the people, as expressed in the primary, is binding upon every voter that participated in this primary, and upon every voter who is alligned with a party which places in nomination candidates of that party.

Every true Democrat is permitted and has the right to express his convictions before the primary election is held, and to endeavor to influence his fellow Democrats in the selection of candidates, but every true Democrat is bound to acquiesce in the will of the majority, as honestly expressed at the polls.

At no time in the history of the Democratic party is it more incumbent upon Democrats to be loyal to the party nominees than at the coming election.

After a struggle of sixteen years, the Democratic party is now in the places of power in the Nation, and in the State. It has been redeeming the pledges that it made in its national and State platforms. It has reduced the tariff on the necessities of life. It has enacted an income tax law, which will compel the wealthy, for the first time in the history of the country, to bear their proportionate share of the burdens of government.

It has placed upon the statute books a currency act which has met with the almost unanimous approval of the whole country, and which even the bankers themselves admit will relieve this country from the monetary distresses resultant from the financial panics which, in the past, have so frequently afflicted this country.

It has introduced a new atmosphere in the diplomatic relations of the world. It has breathed peace, instead of war, and advocated arbitration, instead of bloodshed. It has given the finest exhibition

of national restraint under provocation that the world has ever seen. When the flag of the Nation was flouted, and its soldiers imprisoned without justification by the bandit soldiers of a sister republic, it refrained from declaring war. Although our country could have crushed this sister republic like an eggshell, it contented itself with the demand for an apology, and the taking of such necessary steps as would enforce the same at the proper time, and thus presented to the world a contrast to the hot-headed belligerency of Europe which has since embroiled most of the advanced civilized nations of the world in the most awful carnage that has ever disgraced history. It has tendered its services as a mediator to the warring nations of Europe, and in the midst of the carnage now disgracing Europe, has brought about, through our great Secretary of State Bryan, the consummation of treaties between this great Republic and twenty-four other nations, which comprise within their territory two-thirds of all the population of the world.

This is the record of a great, pure, clean, patriotic, peace-loving Democratic administration. With such a record, the Democratic administration at Washington has earned and now holds the good wishes and admiration of all thinking American citizens, and has assured the continuance in power of that party for years to come.

We Democrats, here in Illinois, are now faced with the duty of sustaining that splendid administration in its splendid work. The only way it can be done is by standing loyally and unitedly behind the candidates, fairly nominated by the Democratic party for the Senate of the United States, and the lower House of Congress. At such a time as this, to fail to support the Democratic ticket would be treason to the party.

Let us therefore pull off our coats and get to work for the success of this whole ticket from Roger C. Sullivan, the candidate for the United States Senatorship, down to the last man upon the State and county tickets in every county in the State of Illinois.

Harmony should be the watchword and success will be the result. Let us sink our personal feelings and preferences and unite for the success of the Democratic party, and the administration of Woodrow Wilson and his great peace-loving Secretary of State, William Jennings Bryan.

A CALL TO PEACE.

ADDRESS AT THE AUDITORIUM, CHICAGO, OCTOBER 4, 1914.

Mr. Chairman, Ladies and Gentlemen:

At the call of the great peace-loving and peace-preserving President of this great Republic, we meet today to utter our protest against the further continuance of the devastation of property and the destruction of human life, entailed by the awful war now being waged in Europe, and to appeal to the Great Jehovah for his intervention in that behalf.

Never in the history of this country and (so far as I know) in the history of any country, has the executive of a nation at peace with the whole world set aside a day for prayer and supplication to the Almighty for the restoration of peace between far-distant nations with whose policies and prosperity his country has no immediate concern.

Yet the proclamation from the President of the United States, setting aside this day as a day of prayer for peace, comes most opportunely and appropriately from the pen of a President, who, through the indefatigable labors of his great peace-loving Secretary of State, has just concluded treaties of peace and arbitration between this great Republic and twenty-five other nations whose populations comprise two-thirds of the population of the whole world. It comes with most fitting grace from a President who within the last three months has preserved the peace of this Nation in spite of the truculency of Mexican bravos and the mock patriotism of American jingoes.

The proclamation of the President falls upon the sympathetic ears of the overwhelming mass of American citizenship.

Throughout the morning of this day, in all the churches and synagogues of this land, millions upon millions of the men, women and children of the Nation have joined the President in supplication to the Almighty for the restoration of peace among the warring nations of Europe.

Here in this great auditorium, furnished by the generosity of a peace-loving citizen in private life, we are met (whether we are affiliated with any church or religious faith or not) to express our approbation of the President's proclamation, to record our solemn protest against the further continuance of this bloody war and to voice our demand, in the name of humanity, for its speedy cessation.

Even the infidel, who may believe that an appeal to Jehovah is in vain, will admit that the protest of one hundred million disinterested free men and women against the carnage and devastation, now prevailing in Europe, must have its effect upon the war-crazed and blood-begorged rulers and statesmen of Europe.

An appeal for peace could come from no other nation with such force and effect as from the American Nation.

Most of us in this hall and throughout this country trace our ancestry by one or two or three generations to one or another of the nations now unfortunately embroiled. This Nation owes much to each and all of them.

The best brain and brawn of this country has sprung from the strains produced by these European nations now at each other's throats. We have a kindly feeling for all of them.

We rise and uncover to but one national anthem, but until the war broke out we listened impartially and with respect and appreciation to the Watch on the Rhine, the Marseillaise and the national anthems of all these countries.

Following the advice in the farewell address of the great Washington, we have had "friendship for all" of these nations but "entangling alliances with none."

During the progress of the two months of this awful war, we have been scrupulously careful to remain neutral and impartial.

Even though hundreds of thousands of our fellow citizens have had their kith and kin on the red line of battle, they have remained Americans first and all the time and have refrained from discussion or altercations with other Americans of different strains, and so we will remain unto the end.

But all Americans, and particularly those who have come most recently from these distracted countries, fervently hope and pray that this awful carnage shall cease.

Statesmen of Europe, we demand that your warring nations who have been vaunted as the leaders of modern European civilization shall stop this bloody debauch, listen to the cry of one hundred million of human beings who are not besotted with the lust of human blood and who have the right, by reason of their disinterestedness and affiliation of ancestry with you, to say to you plainly that this war is a disgrace to civilization and that, by the loss of life and by the destruction of property, it has set back the progress and prosperity of the world to such a degree that it will require decades of years to overcome.

We can say further that the causes underlying this terrible conflict, in our opinion, were not noble or righteous.

Lust for power and race hatred or jealousy have been its genesis. None of you have been free from blame. You have, all of you, been preparing for it for nearly half a century. You have been

dragooning your unfortunate subjects and citizens into immense armies and navies, and flaunting your military power and preparedness before each other's faces year after year.

You have been forcing every third or fourth man of your populations to become a soldier. In this Republic, not one man in two hundred is a soldier. You have been taxing your citizens and subjects so as to sustain these millions of nonproducing men. Nay, they are not nonproducers. They produce discontent and socialism and sometimes anarchy.

This appalling situation should cease. This war should cease.

The hundreds of thousands of widows and orphans already made, cry out to Heaven in protest against the atrocity of this war. The hundreds of thousands of lives already lost and the billions of dollars worth of property already destroyed are more than a sufficient sacrifice to the Moloch of war.

Statesmen and rulers of Europe, sober up before the curses and maledictions of your own people drive you from place and power in infamy and disgrace. Follow the precedent of this great Republic.

If this Republic, with its one hundred million of souls and in possession of more financial resources than any country on earth, can live in peace and prosperity and conclude treaties of arbitration with both the weakest as well as the mightiest nations of the earth, it involves no sacrifice of either dignity or pride for you to do the same.

The day of war is passing. The day of peace is nearly here.

This is the last great war. Its very immensity and awful consequences are the best argument for arbitrament and peace. Peace must eventually come by exhaustion.

Statesmen and rulers of Europe, listen to the cry of the friendly American people.

Let the war cease now with a provision for arbitrament in the future and the disarmament of your forces down to a number that may be necessary for the preservation and protection of the laws within the borders of your respective territories.

Thus will you earn the gratitude and respect of your own peoples and the whole world, and secure in history a place above that of Alexander or Caesar, Hannibal or Napoleon, and all the warriors in ancient or modern times—that place which history still reserves for the men who, following the teachings of the lowly Galilean, established firmly and irrevocably in the policy and laws of the nations of the earth:

"Peace on Earth, Good Will to Men."

EIGHTEEN MONTHS OF DEMOCRATIC ADMINISTRATION.

ADDRESS TO DEMOCRATIC MEETING, SPRINGFIELD, MISSOURI, OCTOBER 6, 1914.

Fellow Citizens:

At the invitation of your Campaign Committee, and your distinguished fellow citizen, Senator Stone, it gives me great pleasure to be with you today, and discuss some of the important issues of the present campaign.

Although my duties in my own State are somewhat onerous, leaving but little time to spend outside of Illinois, I believed it my duty, at the present time, to help, in my feeble way, the Democratic party in your state in sending back to the Senate and the lower House the gentlemen who so splendidly represented you in the Congress of the United States and who, by reason of their high sense of public duty and because of their loyalty to the President of the United States, are unable themselves to be upon the ground to urge their reelection.

The present Congress, I believe, has given the finest exhibition of unswerving duty and loyalty to public interest of any Congress in history. Since the fourth of March, 1913, those gentlemen, both in the Senate and in the House of Representatives, at the call of our great patriot President and leader of the Democratic party, have remained in continuous session, loyally upholding the hands of the President in carrying out the great reforms pledged by the Democratic party during the campaign of 1912.

Throughout the long, hot, trying months of midsummer, when the rest of us were endeavoring to take a little respite from the heat and prostration incident to an American summer, those gentlemen, at the call of the President, at great personal discomfort, and often at great risk to their health, remained at Washington, crystallizing Democratic pledges and Democratic policies in the interest of the people, into national law.

Never was more loyal support given to a President by his party than has been the support given by your representatives, Senator Stone and Senator Reed in the upper House, and by your splendid representatives in the lower House of Congress. Today

and during the whole of this campaign those loyal friends of the people remain in their seats in Congress, neglecting their own interests of reelection for the benefit of the people. Under such circumstances, and at such a time, it behooves, therefore, every Democrat who believes in the policies of President Wilson and the Democratic party, to do what he can to secure their renomination and reelection.

The Democratic party has been enthroned in power in Washington and throughout most of the states for the last eighteen months, and today that party presents a record to the people for its approval or disapproval. What the verdict will be, I believe admits of no doubt. It is a record of achievement seldom displayed by any party in so short a period. When the Democratic party, under President Wilson, took office on the fourth of March, 1913, it was confronted with the following situation:

First. In Mexico, there were commercial and industrial disturbances, and civil war inviting international complications. A usurper whose only credentials were the assassination of a duly elected president, demanded recognition as the accredited ruler of the nation and a Republican administration was inclined to give him such recognition.

Second. There was a long standing demand, ignored by Republican administrations, for an income tax law, which demand was overwhelmingly reiterated at the election in 1912.

Third. An imperative demand for reform currency legislation, long promised and never given by Republican administrations.

Fourth. The public demand for a consistent revision of the tariff downward, oft promised but never given by Republican administrations.

Fifth. An uncertain and unfortunate condition of the law and administration of same in dealing with the evil practices of big business, and a futile effort to control the trusts and monopolies of the country.

To these were added within recent months tremendous and unexpected problems arising out of the awful European war which interrupted and deranged industrial production, commerce, finance and ocean-transportation throughout the world.

How have these complications been met during the eighteen months of the Democratic administration? Mark the result.

First. The Mexican situation has been dealt with in a spirit of firmness, with justice, and without bluster. We have avoided war without compromising our dignity as a great Nation, conserved American blood and treasure, avoided national compli-

eations and set the Mexican people well on the road to a new era of peace and constitutionally organized government.

Second. An equitable income tax law has for the first time been placed on the statute books, and is being impartially enforced, thus securing from the wealthy and powerful, for the first time in American history, reasonable and proportionate contributions to the burdens of government.

Third. A currency law that meets with practically universal approval, enacted and now in process of being put into effect, cordially assented to by the bankers and the whole community.

Fourth. Antitrust laws are being enforced with a single eye to ending bad practices, not merely for the sham-battle purpose of "making a record," and new legislation enacted to correct obscurities and inconsisteneies in the old antitrust laws.

Fifth. Dollar diplomacy in the State Department has been abolished by our great Secretary of State, and the doctrine of human rights substituted therefor.

Sixth. We have revised the tariff downward, on the necessities of life, pursuant to our campaign pledge of 1912.

Seventh. The dangerous and insidious lobby which has haunted the halls of Congress for deeades past has been driven out of the Capitol.

Eighth. The Panama Canal has been completed and opened to the commerce of the world.

Ninth. By law, the great national treasure house of Alaska is being opened up and nationally-owned railroads authorized and a survey therefor begun.

Tenth. Popular election of United States Senators has been made effective.

Eleventh. Two great railway strikes have been averted by arbitration, and the coal strike settled.

Twelfth. The telephone and telegraph trusts have been dissolved.

Thirteenth. The parcel post has been extended and made cheaper to the people.

Fourteenth. Express rates and charges have been reduced as the result of national competition.

Fifteenth. More remedial labor legislation has been enacted upon request of laboring men than was ever enacted by all previous Republican administrations.

Sixteenth. The problems and situations, suddenly arising from the European war, have been met firmly, promptly and patriotie ally. The country has been preserved from a financial crisis. War insurance for American eargoes has been provided, and legis-

lation has been enacted that will help to re-create the American merchant marine and again place the American flag upon the high seas of the world.

Thanks to the prompt and intelligent action of a great peace-loving President and his peace-loving Secretary of State, we remain at peace with all the world.

We have laid the foundation for bringing about peace between the warring nations and have successfully consummated as a standing monument to the construction genius of the Democratic party, twenty-five treaties of peace and arbitration between this Republic and twenty-five other nations, comprising within their boundaries over two-thirds of the population of the globe.

This is the record of eighteen months of a Democratic administration. Where in the history of American Presidents can we find so extraordinary a record in so short a time?

In addition to these accomplishments, the President and Democratic Congress are now engaged seriously, studiously and conservatively in amending the antitrust legislation of the Nation in such a way as to protect legitimate industries against the curse of monopoly.

Upon this record, the Democratic party stands and asks the approval of the people of the United States. Upon this record Senator Stone presents himself for reelection, and the Democratic Congressmen of this State unselfishly remain with him at Washington, leaving the verdict to your just and impartial consideration.

A vote for Senator Stone and your Democratic candidate for Congress is a vote of endorsement of the President. A vote against Senator Stone and against your Democratic candidate for Congress is a repudiation of this splendid record of the Democratic party.

Two years ago you placed in power in the State and in the Nation President Wilson and your Democratic representatives in Congress. During eighteen months of constant session they have placed before you this record. Can there be any doubt in the mind of any clear-minded citizen, no matter to what party he may belong, as to what should be the verdict of the people?

Do you favor revision of the tariff downward? If so, the Democrats have revised it downward. Already in wholesale prices the effect of that tariff is being felt, and long before the next Presidential election, retail prices will demonstrate the efficiency and wisdom of that revision downward.

Do you favor the imposition of an income tax? Nearly every civilized country on earth has such a tax, and yet the Republican party for sixteen years had prevented the enactment

of this wise and just law. If you favor an income tax, the Democratic party, for the first time in American history, has placed it effectively upon the statute books. The income tax law is a law which compels the rich to pay their fair share of the burdens of running the Government. Why should they not?

Do you favor legislation which will abolish financial panics? If so, the Democratic party has given it to you. For one-half century under Republican rule, we have been periodically visited with financial crashes as the result of an unwise and unskilful condition of the currency laws, under which the bankers of Wall Street concentrated all the wealth of the country in the hands of a few. The new currency law enacted by the Democratic party is admitted by the bankers themselves to be so wise and comprehensive in character as to prevent the concentration of this wealth in the future as it has been in the past, and permits the bankers of the country to obtain relief in case of stringency by pledging their assets in the hands of the general Government.

During Republican administrations the great financial powers were in the habit of making loans to the smaller nations and in forcing the collection of these loans by Federal gunboats. This utilization of governmental power as a debt collecting agency has stopped. Human rights instead of dollars are now the interests protected by our Department of State.

For decades past, under Republican rule, that party and its representatives have been coerced and intimidated by the great interests into passing laws favoring gigantic corporations and combines. For that purpose these great interests during Republican rule have maintained permanently in the Capitol a dangerous and insidious lobby, which has exerted tremendous and malign power upon the lawmaking machinery of the Republic. That lobby the Democratic party has driven from the Capitol, and exposed to the sunlight of investigation. The third house has been abolished, and, I trust, forever.

Under Republican rule, it was the policy to permit the natural resources of newly developed territories to be given away and monopolized by the great interests or to tie them up so as to place them beyond the reach of ordinary settlers. The Democratic party has compelled a change in this procedure, particularly in reference to the tremendous riches lately discovered in Alaska. It has, moreover, authorized the building of the first nationally owned railroad to develop and lay bare those great riches for the common use and benefit of all prospectors and settlers, and today American engineers are penetrating into the interior of Alaska laying out the line of that great railroad.

Under Democratic rule, we have made effective the popular vote for United States Senator. The last senatorial deadlock took place in the State of Illinois. The people have been given the right to vote directly for their Senators and no more will we hear of the scandalous intrigues which have heretofore frequently disgraced the different states in the election of United States Senators.

But above all the things accomplished by the Democratic party has been the preservation of peace between this country and all other nations.

When the Republican party went out of power there was a very difficult and delicate situation existing between this Republic and the empire of Japan, which it was feared for a time might develop into warfare between the nations. Our great Secretary of State has so conducted the diplomacy of this government in dealing with Japan that all danger of war has now been averted and good will and harmony exist between the two countries.

In Mexico, internal war was raging and private property interests of great magnitude were demanding the recognition of a usurper and assassin to the furtherance of their own selfish interests. To the credit of this country, President Wilson took the stand that no government which had been erected upon the ruins of constitutional government by the weapons of assassins should receive recognition as a de facto government, and when uniformed Mexican braves imprisoned our marines without justification and flouted our flag, he refused to be forced into a declaration of war with a sister republic, even though that sister republic could have been crushed like an eggshell by our armed forces.

Wisely and prudently he avoided war. He seized a maritime port of Mexico and held it until time could be given to that distracted republic to compose its affairs, and then apologize for the injury done. To seize this port in the assertion of dignity of the American flag and to hold it until a proper amend could be made has averted a great war, and has cost the United States but $7,000,000.

Contrast this, my friends, with the spectacle of events now presented to us in Europe. Day after day the unfortunate nations now engaged in this insane war are spending $50,000,000 a day, and at least 500,000 corpses are now buried in trenches upon the battlefields as a tribute to the Moloch of war. Half a million of widows and orphans are being deprived of their means of support, and the end is not yet.

Thank God, during the last six months we have had a man in the White House who was a disciple of the Prince of Peace.

My fellow citizens, consider these facts. Take them home with you. Appeal to your own conscience, and ask yourselves, if such a glorious record made by a Democratic President and a Democratic party should not receive the commendation and support, not only of Democrats, but of all fair-minded citizens. If you think it does, and I know you will, you will see to it that that splendid record is sustained, by going to the polls next month and return to the Senate your splendid representative in the Senate who for years has been one of the leaders of the Democratic party in that great chamber, William J. Stone, the great Missourian and the great American, and by casting your votes also for each and all of the Democratic nominees for Congress, who are pledged to support the policies of President Wilson.

THE PROPOSED EIGHT-FOOT WATERWAY.

ADDRESS TO DELEGATES, CHICAGO, OCTOBER 10, 1914.

The following were present: J. J. Armstrong, H. C. Barlow, John J. Commons, Col. E. S. Conway, Lyman E. Cooley, Hon. Edward F. Dunne, Henry P. Dwyer, John Ericson, H. C. Gardner, John M. Glenn, William H. Harper, Thomas J. Healy, W. H. Johnson, C. W. Judd, Col. William V. Judson, E. J. Kelly, F. R. McMullin, Elmer Martin, T. Edward Wilder, H. F. Miller, Sterling Morton, Edmund H. Roche, Walter A. Shaw, L. K. Sherman, John C. Spry, A. C. Sullivan, George A. Tripp, J. J. Wait, all of Chicago; Captain G. P. Blow, N. W. Duncan, W. A. Panneck, R. W. Thompson, H. S. Hazen, Fritz Worm, Thomas F. Noon, all of La Salle; R. F. Burt, Lockport; Arthur Charles, Carmi; Sherman L. Marshall, Ipava; Edward S. Morhan, Sheridan; Arthur C. Leach, Joliet; E. J. Barklow, Joliet; Cal. D. O'Callahan, Joliet; Henry B. Morgan, Fred H. Smith, Walter B. Wilde, Richard H. Johnson, of Peoria.

Gentlemen and Fellow Citizens:

It is with much pleasure that I am here today in response to the very kind invitation of the Association of Commerce to meet, not only some of the most prominent members of the waterways committee of that very influential organization, but to meet other representative citizens of the city of Chicago and the State of Illinois and the public officials having to do with the waterways of the State.

When the committee who invited me suggested that the subject they would like to have under discussion would be the creation of a waterway between the city of Chicago and the Mississippi River, they also were kind enough to suggest that, if there were any other public officials in the State that were concerned with these very important and pregnant problems, they would like to have them present. And, it gives me much pleasure to see around this board not only the very representative citizens connected with the Association of Commerce and other prominent citizens of this city, but also all the engineering members of the Rivers and Lakes Commission; in fact, all the members—

I see Mr. Healy here and Mr. Charles,—all members of the Rivers and Lakes Commission, and all the commissioners from the Illinois and Michigan canal board. The president of the Sanitary district, I believe, was invited. I do not see him present, but I see him represented both by Mr. Cooley, the consulting engineer of that great corporation, and Edward J. Kelly, the assistant or acting engineer of the Sanitary district.

We are all intensely interested, my friends, in making practicable and utilizing for commerce the cut across the watershed first discovered by a white man in the person of Father Marquette. Years and years ago, in the early history of this State, the value of that great waterway across that watershed became apparent to the Congress of the United States and to the people of the State of Illinois, and the Congress of the United States ceded lands of enormous value now, according to their present valuation, to the State of Illinois, upon the distinct understanding that the State of Illinois would create a navigable waterway from Lake Michigan leading to the Mississippi. Pursuant to that understanding the old Illinois and Michigan canal was con structed. It was constructed by engineers, capable in their day and was well constructed, considering the state of engineering science at that time. But the world has moved and moved most wonderfully in every profession—except the profession of law (laughter). It has moved wonderfully in the surgical science, in engineering science, in the science of war,—I wish to God it had not (applause),—and it has moved very rapidly in engineering science, and things that were absolutely impossible of achievement forty or fifty and seventy-five years ago in the engineering world, are mere child's play today, as these engineers will tell you.

We have all discovered in recent years that the waterway, built by the State of Illinois under its contract with the Government in exchange for these valuable lands, has become an obsolete and inadequate waterway. I got a very bad impression of the value of that waterway while I was a private citizen and until I was elected Governor, and retained that impression for months after I was Governor. When riding on the Chicago & Alton train from Chicago to Joliet, I looked into the canal from the railroad cars I thought no language was more appropriate than that applied by Senator Sherman to it when he called it a "tadpole ditch," because between Joliet and Chicago, it is a tadpole ditch. When I got into office, my friends, I found a report from the old Illinois Canal Commission recommending a rehabilitation of that canal. In print it was a very able argument and it would have struck me with

a great deal of force, were it not for the fact that I knew the condition of the canal from Joliet to Chicago.

I said, "Where is the use? Look at it! We can't rehabilitate that thing and it is idle to think of it in view of the fact that the Sanitary district has got a splendid waterway right alongside of it." But I did not know anything of the condition of the canal from Joliet to La Salle.

Finally the Illinois and Michigan Canal Commission and Mr. Burt, their superintendent, became very insistent that I ought to acquaint myself with the condition of the canal below Joliet, and about sixty days ago, I think it was, I accepted the invitation of these gentlemen and went down that canal from Joliet to La Salle. I suggested that they invite a few engineers along who would go on the waterway with me and who might be able to explain the things to my mind from an engineering standpoint that I could not understand. They were kind enough to invite Mr. Cooley, whose eminence as an engineer and whose learning and ability no one can contest, Mr. Kelly of the Sanitary district, Mr. Sherman of the Rivers and Lakes Commission, and Mr. Shaw, who was formerly on the commission and is now a member of the Public Utilities Commission.

I went down that canal in order to know what I was talking about when I did talk to the Legislature and to my fellow citizens; and I must say to you, my friends, my eyes were opened.

I had thought we had a tadpole ditch the whole way down until I went on that trip. I discovered to my surprise that we had a waterway that ought not to be closed up. During my trip down that river I suggested to these engineers that the improvement of the waterway from Chicago to the gulf had been delayed and hindered by differences of opinion as to the depth of the waterway: "While the people were generous enough to consent to the constitutional amendment under which you can appropriate twenty million dollars for the improvement, it would appear that you engineers have not been able to agree upon some sort of a program to present to the people." And I happened to say to these gentlemen: "Is it not true that the Federal engineers who have been preparing plans and giving study to the waterway and to the Mississippi, have reported within the last twelve-month that the waterway from St. Louis to Cairo and from Cairo to New Orleans is impracticable at a greater depth than eight feet? If that be true at the present time, in the present condition of engineering science, is it necessary to discuss a fourteen or twenty-four foot depth of the Illinois River when commerce is waiting in Chicago and all along the banks of that

canal, waiting to transfer property day after day? An enormous amount, they say, can be carried on an eight-foot channel." "Can't some plan," I said, turning to Mr. Cooley and these other engineers, "can't some plan be devised under which we can get that eight-foot channel from Chicago to St. Louis and from Chicago to Davenport through the Hennepin canal, which connects with the Mississippi, that will not militate against these other depths, and would it not be wise to adopt some scheme, at not unreasonable expense, to give us an eight-foot waterway temporarily, if that does not conflict ultimately with the other fourteen or fifteen or twenty-four foot depths?"

Mr. Cooley and these other engineers happened to drop a remark that it was possible by building a dam at Starved Rock across the Illinois River and dredging that river northwards and utilizing some of this canal, that it was possible to get an eight-foot channel from Chicago down to LaSalle without antagonizing or foreclosing any of the other depths on this river. I then asked these gentlemen if they would not be kind enough to make, as engineers, a study of the problem and report to me in thirty days. I am pleased to say that all of these gentlemen, without pay or recompense, as far as I know (because we have said nothing about it) have given me their valuable time and intelligence, and it gives me more than great pleasure to report that these gentlemen, some of whom are devoted to a deeper waterway, and some to another kind of waterway, have submitted to me three schemes under which, in a very short time and at very low expense, the city of Chicago will be able to transport merchandise from that city to LaSalle, and the east will be able to transport traffic through the Sanitary district canal down to Lockport or Joliet, and thence, utilizing nineteen miles of the old canal, which will have to be dredged to the depth of eight feet, and about forty-five miles of the Illinois River to LaSalle, by the Illinois and Mississippi to New Orleans.

These men reported to me, in other words, that in a very brief time, and at the expense of only three million and seventy-five thousand dollars, the citizens of Chicago and the citizens of Buffalo and Toledo, Cleveland, Detroit, Duluth, the citizens of all these cities can transport in steam barges to the Mississippi at Davenport, through the Hennepin, and also to St. Louis, through the Illinois, merchandise that is waiting for the opening of that canal, and at a cost of only about three million dollars; and that the proposition as recommended by them in the third project will not in any way militate against any of those other different programs for the depth of the Illinois south of LaSalle.

I am here, my friends, to get light on this problem. I will be frank enough to say to you that, while I am not committed to any plan at the present time, this scheme impresses me as the most practical, reasonable, and sensible program that has been devised during all this talk of a waterway that has been going on in the city of Chicago and the State of Illinois for the last twenty years. I know that at this table there are many business men that have business heads on them; I know there are many engineers who have experience and knowledge. I am here simply as the Executive of this State to say that I want earnest co-operation with some sort of scheme with the citizens of this community that will enable freight to be carried from the lakes and through the port of Chicago down to St. Louis, Cairo and New Orleans; and if freight to the enormous amount the merchants of this city tell me is waiting to be transported can be transported upon an eight-foot channel—and it lies waiting for us—and that project recommended by these gentlemen will give us an eight-foot channel to the gulf—then this scheme should be endorsed and adopted.

If this scheme gives that great artery of water transportation without militating against any of these other engineering projects of fourteen or twenty-four foot depth, it is an act of wisdom on the part of this community and you business men, in view of the fact that it will only cost three million and seventy-five thousand dollars, to get to work on it.

That is the impression that is made on me by this report. I think it was a fortunate circumstance that, when we went down the canal I had the benefit of all the information given me by these engineers and to have gotten them together on the matter of making this report. I want that report to be studied by such men as the Colonel (Colonel Judson) on my right, who is a Federal engineer, to let me know if there is anything that can be logically or scientifically urged against the adoption of that report. If it is feasible, we know it is economical. We know there has been a repeated and continuous demand from the merchants of this city for a navigable waterway down the canal.

I see Mr. Duncan of LaSalle here. Down there they tell me there is an enormous amount of transportation waiting for that waterway, and I was informed, to my great surprise, that waterways are not only cheaper—everyone knows that—but they are more expeditious than rail transportation.

That is a thing that amazed me. If we get a waterway that is capable of floating barges of about eight-foot draft, they tell me that such transportation will be cheaper and more rapid than by rail.

That is the situation, my friends, that we are here to discuss. That is a condition that the people of Chicago and the public officials and myself want light upon. I will say to you this, I have not gone ploughing around with any of the newspapers to get them to commend or approve this problem. I have not seen any of them to urge its adoption. I find voluntary support. The Tribune has spoken very favorably of it—and very seldom they speak favorably of anything I am interested in. (Laughter.) I find the Journal favorable also, although it has been a little more friendly politically. I find the Examiner today had an article commending it.

In addition to all this, let me say before I close, that I am advised by merchants of reputable standing in this community, by manufacturers and men who expect to use that waterway, that if the waterway is constructed—and they have been advocating the rehabilitation of the old canal, not this program, which is wholly different—they say even if the old canal was rehabilitated that the amount of the tonnage rates paid for freight, which I believe is much less than what is paid to the railroads—would pay the interest upon that investment to the State of Illinois. These gentlemen who have these views are here, and we probably would be glad to hear from them.

This project, I understand, first contemplates the erection of a dam at Starved Rock, which would constitute the major part of the cost of the whole project. Thence north for forty-five miles, it utilizes the natural waterway of the Illinois river with the exception of about a mile and a half at Marseilles, where there is a private waterway which we don't care to interfere with at the present time. Then when it strikes Dresden Heights, it debouches into the old canal, and for about 19 miles into Joliet utilizes the old canal.

The plan contemplates the dredging of the waterway to the depth of eight feet. It does not interfere with any of those other projects for a fourteen or twenty-four foot waterway, down from Chicago to southern Illinois. That is my understanding, gentlemen. I am pleased to be here, and I am interested to find out whether the plan is what it appears to be and whether it receives the approval of the level-headed merchants of the city of Chicago.

I shall be very brief, Mr. Toastmaster. I would not want to leave this meeting without voicing my appreciation of the statements made by Mr. Morton with reference to the control of the terminals. I think the very first thing we ought to do—all the cities along the Illinois River and the Des Plaines River—the very first thing that ought to be done, if we are going to get this thing through, is for each of these cities, through their public-spirited citizens and common councils, to acquire property

that should be publicly owned or publicly controlled by the municipalities, to be dedicated to the use of terminals on the water front. Once that property is acquired, then the next thing to be done is for you to design a uniform kind of terminal consistent with the depth of the water. But the terminal land should be acquired now if we go forward with this movement to deepen the canal between Chicago and through Utica to Davenport and to St. Louis at once. Every shrewd real estate investor along this river is going to acquire these water fronts if he can, and you are going to be fooled, if you acquire it by condemning it at its enhanced value.

Chicago has led the way; we are going to have a great public port which we are now building in the city of Chicago. It is up to Peoria, Peru, LaSalle, and every one of these cities to acquire terminals, publicly owned and controlled, where everybody will be permitted to land his barge or boat at the public docks and be treated exactly alike, so there will be no preferences between men, as to the treatment they receive at these terminals.

I want to say that this has been made easy for you by the enactment by the Legislature of the law, giving the cities of this State the right to acquire any utility they see fit. I am pleased to say that in the last Legislature upon my recommendation there was passed a bill under which every city of the State can acquire by purchase or condemnation every sort of a public utility, including bridges and warehouses and landings and such things. They can be acquired throughout the whole State. (Applause.)

Another thing; the consensus of opinion, as displayed by the advocates of the deep waterway, in the persons of Mr. Cooley and my friend from Peoria, and the attitude displayed toward this scheme by the advocates of the shallow waterway, like Mr. Morton, makes it apparent that at last we have got together upon a feasible project for the State of Illinois for the opening of a waterway. I am pleased to hear that we have a million dollars for the development of the lower rivers in the hands of the Government, and pleased to hear from Colonel Judson that there will be little difficulty in acquiring that money for the opening of the canal.

I think the time has arrived when we all ought to push forward this project as advocated under Number 3; and particularly at this time when there are so many men in the State of Illinois who need employment. How can they be better employed than upon a project like this, which belongs to all the citizens of the State.

One more thing, and then I am through. I want to call attention to the fact that the present Congress has sat down effectually upon the appropriation for waterways. I do not think that is spasmodic. I think that is likely to be the policy of Congress in the

future, because of the many unreasonable and unutilitarian schemes that have been brought forward in the country by hundreds of little places for the wanton waste of money. If we can go to Congress with this project and show Congress that this is in line with the things already recommended by their engineers, as Colonel Judson pointed out, we won't be put in the position of having a pork barrel proposition, but a fine utilitarian project.

If the people are behind this, as they seem to be today, I think this project will be put through inside of two years, and we will have a practical waterway from Lake Michigan to the Mississippi river.

One thing more. The suggestion has been made by Mr. Gardner and Mr. Wilder that there is a very important conference of the National Rivers and Harbors Congress in Washington, and I will be very much pleased to adopt the suggestions made by Mr. Wilder, and appoint the gentlemen who have displayed their interest in the matter by attendance here, as delegates to the convention. As he said, the State has made no appropriation and you will be rewarded by the zeal with which you devote yourselves to the interests of the people. (Applause.)

THE IDEALS OF A NOTED IRISH PATRIOT.

At the Unveiling of the Finerty Monument, Chicago, October 11, 1914.

Mr. Chairman, Ladies and Gentlemen:

It is with much pleasure that I participate with you today in the unveiling of a monument erected to the memory of one of the most prominent citizens of the city of Chicago, who, during his life, by his signal services rendered as a journalist, editor, orator and statesman, endeared himself to a very wide circle of acquaintances in this city, and throughout the Northwest.

Seldom does it happen to a man, so soon after his death, to have a monument erected to him by the volunteer contributions of his fellow men. The fact that within a few short years after his death this monument is erected by volunteer subscription attests the affection in which he was held by many thousands of our citizens.

It was my pleasure to have known him personally during his lifetime, and I can speak from personal contact with him of his many remarkable virtues and attributes. For forty years and over he was identified with the social, commercial and political life of this city.

Possessed of a magnificent physique, and a charming personality, he was also endowed by his maker with conversational and oratorical gifts which seldom fall to man. With such attributes he readily found his way into the hearts and affections of his fellow men.

John F. Finerty was born in Galway, Ireland. His father was the owner and proprietor of the principal paper of that city, which accounts for his predilection for journalism in his after years. In his youth he witnessed with much bitterness the destitution and misery afflicting his fellow countrymen as the result of atrocious misgovernment.

Before reaching manhood the first thing he did was to cry out in protest against the things he saw around him. A born orator, he easily aroused his fellow men to resist the continuance of such conditions. So effective and vigorous were his speeches that a warrant was issued for his arrest, charging him with the dissemina-

tion of treason. To escape imprisonment because of these utterances he was compelled to leave his native land while yet under age, and to come to this country.

Promptly upon landing, he volunteered in the Union Army, and served creditably for a brief period until the close of the war. In the latter end of the sixties he located permanently in Chicago. Almost immediately he became permanently identified with the Chicago press, first on the editorial staff of the old Republican, which was the precursor of the Inter Ocean, and afterwards upon the Tribune. He served as special war correspondent for the Tribune and as such reported four of the western Indian wars, including the campaign against Sitting Bull in 1876.

During those campaigns he endured all of the hardships, and trials, and risked all the dangers of the ordinary trooper, and narrowly escaped massacre in the Big Horn campaign. Afterwards, as the correspondent of this paper, he traveled much in Mexico reporting the border troubles. In 1882 he founded and became editor of the Chicago Citizen, a weekly which has existed, and has been published in Chicago from that time down to the present date.

In 1883, he was elected to Congress and served most creditably in the lower House. He advocated an increased Navy and more powerful fortifications for America in a powerful speech which has been long remembered throughout the country. An account of his experiences in his Indian campaigns is contained in his "Warpath and Bivouac," a work written in the choicest diction and full of fire and action.

He also was the author of "A People's History of Ireland."

Throughout his life he never forgot to sympathize with and champion the cause of the land of his birth. The impressions which misgovernment and misrule in his native land had made upon him in his youth seemed to have burned into his very being. He never ceased to advocate and strive for the independence of his native land. He at one time organized the great popular organization known as the Irish Land League of America, which raised and forwarded over one-half million dollars to the Parliamentary party in Ireland.

He was a member of the Grand Army of the Republic, and of the American Irish Historical Society, and was seven times elected president of the United Irish Societies of Chicago.

He possessed that rare combination, so seldom found in one person, eloquence of speech upon the platform, and facility of expression by pen in the library or editorial sanctum. Few men in Chicago in our day possessed his marvelous eloquence. I can recall, while still a young man, being more deeply moved by his tremendous

power of public utterance than by any man in his day. Patriot, poet, orator, author and journalist, he was a rare combination among men.

Like most men of highly emotional temperament, he lacked commercial sagacity and shrewdness. This lack of commercial shrewdness, together with his open-handed generosity, prevented his amassing even a moderate competence. He left behind him little of this world's goods, but did leave behind him what is far more to be envied, the reputation of being a man of exalted ideals and lofty principle.

The respect and affection of hundreds of thousands of men was the only heritage he left, and was the thing that he valued in life more than all the riches of Golconda.

It is fitting and proper that the citizens of Chicago, with whom he lived so long and honorably, should now, that he has passed away, do honor to his fragrant memory and splendid life. This they now do by unveiling this splendid work of art in one of the parks of this great city.

WATERWAY TRANSPORTATION NEAR.

STATEMENT TO THE PUBLIC, OCTOBER 14, 1914.

I believe the time is rapidly approaching when waterway transportation, as supplemental to and not antagonistic toward railway transportation, is soon to be thoroughly developed in the State of Illinois and surrounding states.

Public sentiment is rapidly crystallizing in favor of a speedy construction of an eight-foot channel in the Illinois River between Joliet and LaSalle, thus giving through waterway transportation with a depth of eight feet from Chicago to St. Louis, and from Chicago to Davenport, Iowa, via the Hennepin canal; such a project not being, however, in any way inconsistent with the further development of the river to a further depth. In view of this fact and before any legislation is recommended or carried through the Legislature having this object in view, it is most important that all cities intending to avail themselves of water transportation should immediately proceed to acquire title to the land necessary for the establishment and maintenance of terminals and wharves.

If these cities wait until after the Legislature legislates upon the matter, they will be faced with an increase in valuation of the lands necessary to be acquired for that purpose resulting from the passage of such a law. If they proceed at once to acquire by purchase or condemnation such property, it can be procured at a cheaper valuation.

All such cities and municipalities, in my judgment, ought to proceed to cooperate for the purpose of establishing a uniform character of terminals that would be suited to the boats which would be engaged in such water transportation.

GOOD ROADS IN ILLINOIS.

ADDRESS TO ASSOCIATION OF COMMERCE, CHICAGO, OCTOBER 21, 1914.

Mr. Chairman and Gentlemen:

It is a pleasure for me to be here today and say a few words upon the subject of "Good Roads."

The question of good roads touches vitally the agricultural, commercial, educational, social, religious and economic welfare of Illinois, and involves the conservation of natural resources.

In the improvement of good roads, Illinois has until recently been indeed backward. Reports of the Federal Department of Agriculture up to 1913 show that about 10 per cent of the 95,000 miles of Illinois road are improved in a permanent manner, as against 35 per cent in the neighboring state of Indiana, 20 per cent in Kentucky, 28 per cent in Ohio, and 50 per cent in Massachusetts.

The loss to farmers, because of inaccessible primary markets, and the abnormal expense of transportation, due to bad roads, must be considered as a contributing cause of the high cost of living. In some Illinois counties, highways are impassable to ordinary loads for a full third part of the year. Bad roads not only hinder crop production and marketing, but they keep the rural consumer away from the store of the merchant for weeks at a time. They keep pupils from the schools, and voters from political gatherings, and from participation in elections. They impair the efficiency of churches, and social, fraternal and other organizations, which depend largely on public gatherings for the efficacy of their work.

Moreover, bad roads contribute to the unattractiveness, the isolation and the monotony of country life that are responsible for the desertion of rural pursuits, especially among the young. Experts in mental ailments agree that women in remote sections are the chief sufferers from the restriction of communication and social intercourse, which bad roads impose.

Highway conditions in Illinois are due to the fact that progress in methods of transportation and travel has not been met with corresponding changes in our system of road building and maintenance.

Illinois is the third State in the United States in population, wealth, and political and commercial importance.

It is the premier agricultural State of the United States. Its soil, on the average, is three times as valuable in selling price as the average soil of the United States, and yet in that important feature which gives value to the farm, to-wit, the roadways which lead to its gates, Illinois is scandalously and deplorably in the background as compared with most of the other progressive states of the Union.

In the matter of ratio of improved roadways to unimproved roadways, Illinois holds today the hoodoo number of 23. In other words, 22 of the states of the United States have a greater ratio of improved roadways to unimproved roadways than has the great State of Illinois.

I was surprised to find, upon investigation, that Illinois has a smaller percentage of improved roads than has the United States in general. In other words, the average percentage of improved roads to unimproved roads in the whole of the United States on December 31, 1911, was ten and one-tenth per cent, while the average in the great State of Illinois was only nine and forty seven hundredths per cent on the same date. This situation of affairs has been, and is, a reproach to the intelligence and a blemish on the reputation of this State.

Knowing these conditions, I recommended to the last General Assembly consideration of legislation which would promote the efficiency and economy of the administration of the road system of the State. Pursuant to that recommendation the last General Assembly placed upon the statute books a law which affords a scheme of State aid and provides for cooperation between the State and counties in such a way as to encourage and develop road building in the State of Illinois. This law created the present State Highway Department.

This department has been thoroughly reorganized. It has laid out the roads that will constitute the proposed State aid road system of the entire State, and maps have been made of about sixteen thousand miles of improved roads. These State aid roads connect all the principal trading points of the State with one another, extending throughout the length and breadth of all of the counties of the State, and when completed as the main thoroughfares of the State, will be one of the most comprehensive systems of roads in any like community in the world. When this system of roads is once constructed, there will not be a home in the State of Illinois farther than four and one-half miles from a State aid road.

The State Highway Commission was somewhat hampered in the beginning of their work by a suit testing the constitutionality of the law. It was fought through all the courts and the Supreme Court handed down its decision on the question at the June term, this year, holding the law to be constitutional in every detail.

The commission at once began active work under the law. The first contracts were let on the first day of July this year. Contracts have been let in forty-six counties of the State comprising ninety-one miles of road, seventy-five of which will be of concrete and sixteen of brick. The Highway Department hope to have this number of miles of work completed this fall. This, together with perfecting the organization and the preparing of the maps and designating the roads that should be State aid roads, we believe to be a phenomenal success for the first year's work under the new road law.

Communities that were against this system at the beginning of the work have become enthusiastic in favor of road improvement under the system as designated in the law, and we predict that this will be one of the most beneficial pieces of legislation that have been enacted in the great State of Illinois, because it will ultimately lead to the construction of such a system of roads as the people can use in their business and in their pleasure every day in the year.

In addition to the State aid roads, the department has under construction about thirty-five miles of hard roads. Seventeen miles of these roads are waterbound macadam and are being constructed with convict labor. Four miles are in Frankfort Township and thirteen miles in Washington Township, in Will County.

Under the direction of the State Highway Department all of the roads of the State will be improved under one system.

Perhaps one of the most important points in the construction of any quality of road is that of drainage. This question applies to every quality of road, whether it be an earth road, a gravel road, a macadam road, a concrete or brick road. If any road is permitted to stand under water, disintegration will soon set in, but any quality of road properly drained is a great improvement upon the old system of letting the roads practically take care of themselves.

During the year there have been graded and dragged upwards of seven thousand miles of earth roads under the direction of the State Highway Department through the county superintendents of highways. We have ninety-six thousand miles of public highways in the State of Illinois outside of the villages and cities of the State; thus you will see we will always have many

earth roads and we must give much attention to the proper grading and dragging of these to place them in a passable condition, in order to be feeders to the main thoroughfares which are designated as State aid roads.

The department under no condition will overlook the lateral roads, the great majority of which for many years will be earth roads, but the construction of the main system of roads of either concrete or brick will lead to the better construction of all of the lateral roads.

The State Highway Department, in addition to the work specified, has, during the year, prepared plans and specifications for at least six hundred bridges for the various townships and counties in the State, and it has superintended the construction of many of them. This part of the work has been of vast importance to the various counties, as it is conceded that a very great saving has been made to the various counties because of their inspection and supervision. The durability in the manner of constructing bridges and culverts has been marked because of the quality of construction, reinforced concrete being the present method of construction. When a culvert or bridge is built of this material under proper plans, it is almost indestructible.

The improvement of our highways is a matter that ought to arouse every citizen of the land, because when once we have thoroughly improved them, it will be a pleasure to the people and of vast importance to them from a business standpoint. The people are becoming intensely interested in this question, not only from one end of the State to the other, but throughout the entire length and breadth of the Nation, and I can think of no other question of more interest to the State and Nation than the building of good roads and good waterways.

When this system of roads that is planned in Illinois is completed, it will enormously enhance the value of every acre of land in the State. The cost of building and maintaining these roads in comparison with the enhanced value of the land resulting therefrom will be inconsiderable.

The entire system of concrete and brick roads will cost the State, as the department estimates, one hundred and eighty million dollars, but the farmers' part of this cost will only be eight cents per acre each year for twenty years to construct the entire system, he paying under the new road law forty per cent of the cost of the system; the railroads, the villages and the cities paying the balance of the cost of construction. This being the case, it would seem that every citizen in the State ought to become enthusiastic and insist that within a few years we must have this system of roads for the benefit of our people.

I also recommended to the General Assembly the enactment of appropriate legislation which would provide for the employment of the inmates of our penitentiaries in road work. In response to that suggestion the General Assembly passed a law which I approved, permitting the use of convicts on the roads of the State, who have less than five-year sentences to serve.

The first road camp—Camp Hope—was established at Grand De Tour, a village near Dixon, Illinois, September 3, 1913. Fifty-one honor men were sent there. A road was cut through a hill three-fourths of a mile long and one mile of grading was completed. This work was finished February 7, 1914.

On April 27, 1914, Camp Dunne was established at Deer Park, near Ottawa, Illinois. Forty-two honor men were sent there. A deep cut was made through rock and earth and about two and one-half miles of macadam road were completed. After this work was completed, the camp was moved to Mokena, Illinois, where one mile and a fourth was completed in the twenty-six working days. This was done at a total cost of $2,800. The roadbed consisted of 10 inches of gravel with a surface of 2 inches of chipped rock. Camp Dunne was then transferred to Frankfort, Illinois, where forty-five honor men are employed and have completed to date two miles of roadway.

Another camp—Camp Allen—was established at Beecher, Illinois, on June 15, 1914, and is composed of sixty-two honor men. This work is being done under the supervision of the State Highway Department. To date, fourteen miles of road work have been completed, and with good weather, we hope to have the work finished there by the fifteenth of November.

Sixty men have been assigned to work on the Joliet honor farm, consisting of about two thousand acres. At present these men are employed rebuilding and grading all the roads around this farm, and in all probability will remain there all winter.

I am advised by the warden of the Southern Illinois Penitentiary at Chester that the prisoners in that institution have constructed a splendid road which runs in front of the prison property on the grounds of the State. Also, that they have constructed a fine road to the prison farm, and have built many rock roads on the prison farm.

It is true that road building costs money. It is true that it must entail some taxes, but I do not believe, if the road building of the State is conducted upon sane and sensible lines under which honest work will be done for fair compensation, that there is not a farmer in the State of Illinois whose property will not be enhanced in value several times the amount in taxation he may be compelled to pay under the new road law, in the way of bringing about good roads in his neighborhood.

It is indeed time to drag the State of Illinois out of the unenviable twenty-third position she now occupies among the states of the Union in the matter of road building, and further drag the people of the State out of the mud that so long has retarded in particular the great agricultural interests of this premier agricultural State.

It was a pleasure to me, as Governor, to have designated Wednesday, April 15, last, as "Road Day," not as a holiday, but a hard-working day upon which day I urged public officials and the public in general to begin practical and effective work upon the improvement of the highways of the State. Public sentiment is in favor of the improvement of our roads. A great deal has been accomplished, and I hope much more will be accomplished in this direction in the next few years.

THE WORK OF THE RAILROAD MAN.

ADDRESS TO THE SWITCHMEN'S UNION, CHICAGO, OCTOBER 23, 1914.

Mr. Chairman and Gentlemen:

It gives me much pleasure, as Governor of this State, to meet you gentlemen tonight, and to address to you a few words of welcome and encouragement.

Probably no class of laboring men in the community has more responsible and arduous duties to perform than the men engaged in the railway transportation of the country. The lives and property of other citizens are committed to their care and keeping. If they are vigilant, sober, and industrious, and attentive to their duties, the loss of life and limb and property is minimized to the lowest degree of which human intelligence is capable; but on the contrary, if the railroad men are reckless, careless, dissipated or improvident, loss of life, limb and property must necessarily occur. You are out in all sorts of weather. Your lives are constantly in danger. Your future is uncertain, and your compensation not always commensurate with the tremendous risks you run.

I am pleased indeed to have this opportunity to address this body of men, representatives of the switchmen of North America; and when I speak to the switchmen, I believe that my remarks are likewise appropriate to the whole body of railroad employes. So while you may be divided into organizations by the specific form of your occupation, you have in common the good of all railroad workers.

The American railroad man is without a peer in efficiency, skill and intelligence. We are sometimes inclined to criticise the railroads. Some evils in them deserve all the condemnation we can heap upon them. Their financiering has often been a national scandal. Our trains have been made abodes of physical comfort, but railroad securities have frequently been the most unsafe things in which to invest.

It can be truthfully said that recently there has developed increased safety of travel upon American railroads which has been largely due to the efforts and intelligence, and the devotion to duty of the railroad employes, and it is a gratifying sign that the fatalities and financial losses of property through railroad accidents have been steadily decreasing.

From 1902 to 1912, passenger and freight traffic increased by 66 per cent. Yet fatalities to passengers in 1912 were 318 against 345 in 1902. Fatalities to employes have increased only 29 per cent, though the total number of employes at work had increased in that time by 45 per cent.

Our American railroads today have a system of 250,000 miles of track. They employ nearly 2,000,000 men and women, Their annual pay rolls amount to more than $1,500,000,000. In 1912 they carried 972,000,000 passengers, an increase of 136 per cent since 1888, and 1,765,000,000 tons of freight, an increase of 268 per cent since 1888.

The British Board of Trade in the last nine years have boasted that in two different years there were no fatalities on the railroads of the United Kingdom. Yet even here in this country each year there is freedom from such fatalities on more miles of railroad than there are miles of road in the United Kingdom, Germany, France and Austria.

Two hundred and ninety of our American railroad corporations reported no passenger fatalities in 1912. They operated 101,000 miles of track and carried 333,000,000 passengers and 868,000,000 tons of freight. The Lackawana system has had in twelve years only one accident in which a passenger was killed. The Long Island road, operating 34,000 miles of track, had one death of a passenger in nineteen years.

During the years 1904 to 1912, eight roads killed no passengers in 9 years; 45, none in 8 years; 76, none in 7 years; 90, none in 6 years; 118, none in 5 years; 165, none in 3 years; 209, none in 2 years; and 290, none in 1912. With such a record as to passenger safety our railroads are still hazardous for train crews and employes. It is noted in statistics that this hazard is materially decreasing. In 1889, one trainman out of 117 was killed. In 1912, one out of every 192 lost his life. It is evident, therefore, that the railroad men of this country are still in need of additional legislation, and of protective and preventative measures designed to save their lives and limbs.

The time was when there was but little regard for your safety and well-being in the statutes of the State. Enlightened public opinion, however, in recent years has taken recognition of the tremendous risks that you run from the defects of machinery, and from other causes, and has begun to influence the legislation of the State towards relieving you in so far as human ingenuity can from the risks and dangers of your employment, and the railroad men themselves have earned all they have secured. They have endeavored to improve their own conditions through the

instrumentality of education, insurance benefits, thoughtful co-operation and appeal to public sentiment.

I am pleased to say that the Legislature at its last session did notably good work in passing legislation which will lessen the risks of railroad employes in the performance of their duties.

Senate bill 687, approved June 26, 1913, provides "For the appointment of three additional safety appliance inspectors who must have seven years of practical experience on railroads operating in the State of Illinois, in the capacity of train baggage man, engineer, fireman, conductor, yardmaster, brakeman, watchman, car inspector or car repairer. Their duties are to inspect the surface and track conditions of train yards, sanitary conditions of passenger cars and the investigation of power brakes and such appurtenances of cars or engines used by persons on the railroads engaged in moving traffic within the State."

Senate bill 473, approved June 26, 1913, requires "That all locomotive engines used in passenger service excepting suburban passenger service, be equipped with headlights of sufficient candlepower to discern an object the size of a man upon the track at the distance of eight hundred feet. All locomotives used in freight service, exclusive of switching and transfer service, be equipped with headlight of sufficient candlepower to discern an object the size of a man upon the track at the distance of four hundred feet, and that all locomotives used in switching, transfer or suburban passenger service be equipped with a headlight of sufficient candlepower to enable the engineer to discern an object the size of a man upon the track at a distance of two hundred fifty feet."

House bill 102, approved June 20, 1913, provides "For the organization of corporations to allow the loaning of money by such corporations secured by wage assignment and limiting the rate of interest or compensation therefor, not to exceed three per cent per month for the use of such money."

The law further provides that the Governor may appoint one of the directors in each of these corporations to see that the law is efficiently enforced. This law is of vital importance to a great many wage earners in that it tends to put a stop to the outrageous loan shark methods heretofore prevailing in the State.

Senate bill 11, approved June 21, 1913, "Provides for the payment of all wages semimonthly" in accordance with the recommendation of my inaugural message.

House bill 348 requires every owner or operator of a coal mine, steel mill, foundry, machine shop or other light business in which employes become covered with grease, smoke, dirt, grime and perspiration which might injure their health or make

their condition offensive to the public, to maintain a suitable and sanitary wash room in or convenient to place of employment, for the use of such employes.

House bill 841 provides for compensation for accidental injuries or death suffered in the course of employment within the State; the creation of an Industrial Board which will adjudicate differences between employer and employes.

House Bill 907, known as the Public Utility Act, empowers the Public Utility Commission to bring about efficient service and guard against accident by securing the installation of safety and interlocking protecting devices and the maintenance of such appurtenances in good order. The construction of grade crossings along safer lines will prevent great loss of life.

I can assure you, gentlemen, at all times of a respectful hearing before the new Public Utilities Commission and of justice at its hands.

The attitude of President Wilson and of Congress towards railroad corporations and their employes, must be gratifying to you and to all good citizens. Congress has enacted a number of splendid laws through the operation of which you will be helped. The provisions of the new legislation which exempts labor organizations from the penal effects of the antitrust laws; the amendments affecting the issue of injunctions in labor disputes; the authorization of the Alaskan railway projects under Government auspices; the averting of several tremendous and destructive industrial conflicts between the railroads and their employes through the friendly intervention and aid of the President, are but a few of the achievements of the last two years in our National Government.

There is another subject I cannot pass by. As a Nation we have been shocked by the warfare that is destroying our fellow men and ruining the works of peace on the European continent. In our industrial activities we are suffering severely as a result of that terrible conflict. But we should congratulate ourselves and render thanks to our Supreme Ruler for the peace that reigns in our land. We have narrowly escaped a bloody war with one of our neighbors. We have, by our conduct in the Mexican crises, exalted ourselves among men and advanced the cause of democratic government throughout the world. No one can estimate where war with Mexico would have led us.

Our Government was supported in its peace policy by a wholesome public sentiment which has been forming among us for many years. Contributing to this sentiment has been the rapidly growing disposition among employers and employes to adjust their differences by peaceful methods.

Probably no class of labor in America has done more in the creation of this sentiment for peace than the railroad men. They have always favored arbitration and mediation in settling disputes between themselves and their employers, and both they and our country have profited by what has been accomplished in this way. You may congratulate yourselves upon your stand. Events throughout the world today justify your position. You can well afford to be proud of your record. In this respect you have done far more for the development of your country and for the peace and prosperity of yourselves and your fellow men than you or I can ever estimate.

As I have already said, your achievements, your devotion to duty, unmindful often of your own safety so that that of others may be conserved, your intelligence, efficiency, courtesy, good citizenship, patriotic performances in behalf of the public welfare, entitle you to the highest and most thoughtful consideration and treatment. I wish you success and prosperity in your undertakings.

The trend of modern thought and modern legislation is in the direction of doing away with unnecessary risks and hardships for workingmen and workingwomen in the prosecution of their employment and towards compensating them for the inevitable losses and suffering which are incident to such occupations, and such legislation has my hearty approval and support.

THE STATE CHARITIES OF ILLINOIS.

ADDRESS TO STATE CONFERENCE OF CHARITIES, LASALLE, OCTOBER 26, 1914.

Mr. Chairman, Ladies and Gentlemen:

One year has elapsed since the holding of the last Charities Conference in Rockford, under the auspices of the Illinois Charities Commission. We are now convened in LaSalle for the purpose of fostering the development and perfection of organized and constructive charity in our State. We are met to compare notes in order that we may profit by our varied and diversified experiences, and to encourage the work of scientific research in order that we may be better able to perform the important social service of caring for the unfortunate wards of the State who, under the law, have been committed to our care and keeping.

I heartily endorse the plan adopted by the Charities Commission of holding these meetings in different cities from year to year. By rotating the annual conventions between different communities, more people are brought in direct personal contact with this distinguished body, and familiarized with its lofty purposes, its splendid ambitions and its humanitarian work.

We learn by daily experience and observation that thousands of people in the State are not informed as to the mission, the magnitude and the number of the State institutions, nor as to their rights and privileges regarding these hospitals and asylums.

I am pleased to be able to report that great progress has been made in the management, the enlargement and the improvement of all of our State institutions since last I addressed the charities conference. Humanitarian policies have been adopted and are being enforced, which are very significant and which cannot but prove very beneficial and far-reaching in their consequences.

At practically all of the old and established institutions, new buildings are being added to the equipment and are now in process of erection and well under way, to increase the floor space and enlarge the facilities for the custody of the inmates and the proper housing of the employes.

The management of the vast State farms has been improved, the standard of their efficiency elevated and their output materially increased.

Two magnificent new institutions are being added to the list. At the new State hospital at Alton, ground has been broken and quite a number of the necessary buildings are in course of construction. Provision for the care of patients will be made at this new infant institution at a very early date. The crops on this new farm are now being put in by the State.

An excellent site for the new epileptic colony has been selected near Dixon, and the necessary ground, consisting of over one thousand acres of land, has been purchased and paid for by the State. The general plans for the construction of this institution have been formulated and adopted and advertisements are now running in the newspapers for the bids for a number of the individual buildings and cottages. The initiative will be taken in the building operations within the next few weeks. At each of these two new institutions, provision will be made for the treatment and custody of at least fifteen hundred patients and the proper housing of the employes. It is safe to predict that on completion of the new buildings in course of construction at the old institutions, and the addition of the two new institutions, the present deplorable and unfortunate over-crowding and congestion at the State institutions of Illinois will be completely relieved and effectively and adequately remedied.

These provisions refer to the improvement of material conditions in the institutions. Changes of policy in the management having reference to social justice and medical efficiency have been agreed upon and promulgated, which are even far more significant in their import than anything which I have yet outlined.

We have abolished, and we forbid, the use of mechanical restraint in the treatment and handling of the patients in the State hospitals or insane asylums. In the same connection we have effectually put the ban on all brutality, inhumanity and mistreatment in all of these institutions. All violations of this rule are punished by the immediate and unconditional discharge of employes, who, after careful and impartial trial, are found guilty and convicted of its infraction. We have abolished, and we forbid, the use of corporal punishment in the institutions having to do with the care, the training, the reformation, the teaching and the education of children, whether they be delinquents, defectives or orphans. Modern progress demands this measure. The whip, the strap, the cat-o-nine-tails has no more place in these institutions under the light of advanced knowledge than have the padded cell, the handcuffs, the straight-jacket, the manacles and the bludgeon and the blacksnake in the insane asylums. We have resolved to substitute kindness and decency for the fossilized and antiquated methods which are thoroughly discredited and should have been thrown into the discard long ago.

Last, but not least, we have adopted, in several of the State asylums and have in contemplation its extension to the other asylums, the eight-hour system for the benefit and relief of the employes. Many of the employes in our State institutions have been compelled to work from ten to fourteen hours and even sixteen hours a day, without a Sunday even being allowed them for much-needed rest and recreation. It is needless to say that protracted and unremitting toil of this description is enervating, irritating and demoralizing. It lacks all of the primary and essential elements of social justice.

We cannot render the service to the patients which human society has the right to expect of us with exhausted overwrought and overworked employes. I am satisfied in my own mind that the eight-hour system will automatically eliminate much of the violence, the discourtesy and the ill-treatment in general which has served to discredit the public service in State charitable institutions in years gone by.

In the adoption of these three great progressive reforms, the State of Illinois leads all of the states in the Union.

I am advised that wage conditions among some State employes are not what they ought to be in Illinois. In no instance have the wages of employes been lowered during my administration. In many cases where they have been grossly underpaid, they have been raised. The general average of wages and the standard of living and the conditions of employment have been raised in all of the institutions. More progress has been urged in this direction, but the taxpayer demands economy in the management of the State institutions and his interests are a vital factor in the equation and they are entitled to our most serious considerations. By comparison with statistics which reach us from all of the sister states, a more than favorable showing is made in Illinois, even in the payment of wages to the domestics and farm help in the institutions. We are doing the very best we can under existing appropriations and we have no right to complain; for our Legislature has, by comparison with other states, been fairly liberal and generous in providing necessary funds for the support of the unfortunate and afflicted wards of the State.

The scope of organized, constructive and public state charity in Illinois is on a tremendous scale. We will have twenty institutions under the management and control of the Board of Administration when the new hospital at Alton and the epileptic colony are on the completed list and commissioned into service.

The cost of the two new institutions will reach the stupendous sum of three millions of dollars. The new buildings at the old institutions will run over a million dollars in cost to the State. It

will cost five millions and over a year to maintain the institutions under the control of the Board of Administration.

The lesson which these figures ought to impress on our minds is that we owe the taxpayer, not only the greatest institutional efficiency for the money that is exacted from him, perfect honesty, absolutely faithful service, but rigid, scrupulous and old-fashioned economy as well. All of the institutions are to be heartily commended for results achieved in this essential direction.

All of the institutions are conducted on a strictly nonpartisan basis and the merit system is being faithfully, honestly and rigorously enforced in all of them. All of them are doing a great work and they are meeting the highest expectations nobly and manfully. They are making good. They are realizing the highest ideals of mankind.

I am sometimes afraid that the general public has no just appreciation of the wonderful work which is being done in the State charitable institutions, on account of the modesty which is being observed in giving out statements of results.

The inmates in these institutions approximate the twenty thousand mark, under the care of nearly four thousand employes. In the eye and ear infirmary in Chicago, seventy-five thousand afflicted people with eye and ear ailments and too poor to employ specialists to give them the benefit of their science and skill, receive treatment and get relief and are cured every year. These are staggering figures, but they are accurate and they unfold a tale of public charity which controverts, so far as Illinois is concerned, the pessimistic charge that human civilization has broken down. There is balm in Gilead. We are indeed our brother's keeper. The strong are protecting the weak. We are helping those who have lost the ability to help themselves. We have incorporated the golden rule into our governmental system and we are making heroic efforts to live up to its mandates.

I now wish to thank you for your courtesy in inviting me to be here and address you. Let me thank you for the efficient work of the past and let me adjure you to give the State and its wards the best that is in you.

THE SPREAD OF THE FOOT-AND-MOUTH DISEASE.

STATEMENT TO THE PUBLIC, NOVEMBER 7, 1914.

My attention has been called to the fact that the foot-and-mouth contagion among cattle can be disseminated by persons passing from one pasture where infected herds are found to other farms and pastures and portions of the State where hitherto there has been no infection.

My attention also has been called to the fact that the hunting season for quail is about to open and that many hunters in their zeal for the game may be tempted to cross pastures and other places occupied by cattle and other stock, and in this way unwittingly disseminate and spread the contagion.

In view of these facts, I desire to call to the attention of the people of the State and to farmers and stock-raisers in particular, the provisions of sections 29, 30 and 31 of the Fish and Game Act, chapter 56, Hurd's revised statutes of 1913, which prohibit "persons from hunting with gun or dog upon the grounds or premises of another, or upon the waters flowing over or standing on said lands or premises, without first obtaining from the owner, agent, or occupant of said lands or premises, his, her or their permission so to do," and which make a violation of this law a misdemeanor punishable by fine or imprisonment.

In view of the widespread and dangerous epidemic among cattle now prevailing in this State, known as the foot-and-mouth disease, and in view of the easily communicable character of said disease by persons passing from one field to another, I would respectfully suggest to all farmers and live stock dealers that they post trespass notices upon their premises and that they exercise the utmost diligence in preventing such trespasses, even to the extent of apprehending persons violating the provisions of this law.

All trespassing upon stock farms should be rigidly prohibited at the present time.

UNIFORMITY OF SAFETY AND SANITATION LAWS FOR PLACES OF EMPLOYMENT.

ADDRESS AT GOVERNORS' CONFERENCE, NOVEMBER 10, 1914.

Mr. Chairman and Gentlemen:

In the early history of the legislation of the United States, but little attention was paid to industrial sanitation and the prevention of industrial accidents.

The strong individualism and self-reliance of the pioneers who opened up and developed the country regarded such matters as being wholly within the province of each individual employer and his employes.

The law-making bodies for years placed no legal restrictions upon the relations of employer and employe. They considered such subjects to be matters for private consideration and action. They believed them to be affairs to be covered by contract and environment which should be free from State control.

Conservation of public resources, and the conservation of life and health in industrial centers were alike neglected and ignored. Our forests were recklessly destroyed for immediate gain, without care of the future. Our mines were crudely and wastefully exploited. Our soils were recklessly impoverished, and their fertility woefully weakened. Our waterways were neglected or destroyed for immediate necessities, and the life and health of the proletariat was a matter of but little public concern.

In recent years, however, there have been a great social awakening. Conservation is the order of the day, and the cry of the political economist. Mines, forests, and waterways are being withheld from private exploitation, and reserved for future public development or development by private interests under public control. So also is the trend of the day towards the conservation of human life, human limb, and human health.

The statutes of most of the progressive states are replete with modern legislation having for its object the conservation of the health, morals, and well-being of the men and women who form the working units of the industrial world.

It was high time that there should have been such an awakening. Within the knowledge of most of us here present, there was a time when a brakeman working upon a railroad with an unmutilated hand was a rarity; while all such mutilations were easily preventable by the adoption of safety brakes.

In the decade from 1900 to 1910, the total premiums paid to casualty companies insuring against accidents was $181,276,782 and during that period the total number of persons insured who were injured was 1,558,551. During that same period most of the losses entailed by this frightful destruction of life and limb fell not upon the industries in which these injuries occurred, nor upon the employers, but upon the helpless employes or their widows and orphans.

At length the public's conscience was shocked both at the appalling roster of these casualties, and over the fact that the losses entailed thereby fell upon the weak and helpless, and the whole community, including even the employers, arrived at the conclusion that it is better to provide safeguards in factories, in workshops, and on the railroads, than to wait until an accident happens, and then give the employe the choice of a lawsuit or the benefit of the recently enacted, so-called compensation laws.

Legislation creating factory inspection commissions, and legislation compelling the adoption of safety devices and sanitation appliances, have recently been adopted by most of the progressive states. Such laws have been enacted in the State of Illinois.

Since the enactment of such laws, the Department of Factory Inspection in that State has compelled over 18,000 dangerous machinery parts to be provided with safeguards. It has enforced the construction of over 6,000 fire escapes and exits; and 7,000 devices on elevators insuring their safety; enforcing the guarding of over 43,000 belts and pulleys; over 30,000 gears, and 1,800 emery wheels; compelled the removal of over 18,000 set screws; issued nearly 13,000 orders covering sanitation and ventilation, and eliminated or compelled changes in over 137,000 possible sources of danger from machinery.

It has compelled the safeguarding of machinery during the last three years, which has cost the employers four millions of dollars, and has taken steps, which during the coming year, with the approval of the directors of several Illinois companies, will cost even a greater amount than four millions of dollars.

Not only has that State made such stringent and expensive changes in the interests of the safety of life and limb, but it has enforced many sanitation laws of inestimable value to the working

men and women of the State. Twenty-five out of the forty-eight states of the Union have enacted more or less progressive laws relating to the safety and sanitation of working men and women. All such legislation has been forced upon the statute books by reason of the fact that 50,000 people were being killed annually in industrial enterprises in the United States and over 1,000,000 more were receiving nonfatal injuries.

Time was when the employer, because of expense and the trouble entailed upon him by the changes of equipment, opposed the passage of such laws, but in recent years he has harkened to the demands of humanity and modern progress, and now many of these laws are placed upon the statute books after consultation with, and the approval of the employing element of our citizenship.

The only objection to the passage of such humane and sanitary laws that now comes from the employer is the objection that such laws are not uniform in their application to all employers in the same line of business. In making this objection, the employer points out, with some truth, that some of these states claiming to be progressive, are passing and rigidly enforcing laws for the safety of human life and limb, and for the sanitation, hygiene and well-being of the working men and working women, which entail great expense upon the employers in his state, while other states within whose borders there exists the same line of industry are free from the burden so enforced upon him and thus are able to run their business more cheaply and more profitably, and under-bid him in placing their products upon the open market.

Such an employer points out that frequently the large industries are driven from one state whose laws are onerous upon, and expensive to the employer, to another state where such restrictions are not enforced, and where the business can be carried on more economically and more profitably. A progressive state enacting humane laws for the conservation of human life and limb, and for the preservation of the health, morals, and well-being of its laboring citizens is thus placed at a great disadvantage as compared with a nonprogressive state, which by its failure to enact such laws invites the manufacturer whose only aim is financial profit within its borders, and thus enhances the manufacturing development in such nonprogressive state.

Such cases are not rare. I have in mind one reported to me by the Chief Factory Inspector of our State. This concern had four factories in different parts of the State, but found it difficult to comply with certain restrictions, which the child labor and machinery law placed upon it. After demands by the Chief

State Factory Inspector of the State of Illinois were made upon that concern to comply with these restrictions, the president of the corporation decided that in order to place his corporation and its products under the same advantages as his competitors in the same line of business he would move his plant out of the State of Illinois, into an adjoining state where the factory laws were less stringent.

Many manufacturers, before instituting an establishment or developing an existing establishment, look carefully into the laws of the different states before setting up an establishment or further developing it, and if they find the laws of one state onerous and exacting, and entailing an expenditure of money to comply with such laws, locate by preference in the states where such laws are not so onerous. The old position of the manufacturer and employer was the demand "to be let alone." In recent years, however, he has changed that position largely as the result of the tremendous changes which have taken place in modern business and in modern public opinion. He has come to realize and accept graciously the fact that the day of absolute "laissez faire" is past. He is now willing to submit to a great deal of governmental regulation and inquiry, but he wants to be assured that that inquiry and regulation bears equally, uniformly, and impartially on all his competitors. He is satisfied that he can pass on to the consumer the increased cost of manufacture entailed by reasonable and humane laws, relating to sanitation and safety of his employes so long as these burdens rest equally upon all engaged in the same line of business.

I am informed that at a recent hearing before the New York legislature, on a bill fixing the maximum number of hours per week during which women might work in factories, the attorneys for the textile manufacturers opposed the bill on the ground that the difference in wages and working time which would result, as compared with Pennsylvania and with some southern states where a longer working week was allowed, would be ruinous to their business. These attorneys declared "That they and those whom they represented would be glad to go to Washington and favor, as a national law, the same measure which they were opposing as a state law." Without doubt there is some truth and force in the position thus taken by such manufacturers.

The manufacturer in the progressive state, which enacts such humane laws entailing expense upon them may, and probably will find, competitors in the same line of business in other states where such laws are in force, producing the same line of goods much more cheaply and thus underbidding them in the markets of the world. This may result in either totally ruining or seriously

damaging the position of the manufacturer in the progressive state.

It must be apparent, therefore, that if such salutary laws must be passed and enforced—as all must concede—that there should be more or less uniformity of legislation in all the states where such industries are carried on or the enactment of Federal laws covering the subject matter. This latter alternative has been seriously urged by many manufacturers and political economists, but, in my judgment, is not feasible or possible.

Federal legislation, under the Interstate Commerce Act may be applied to interstate railroads, and other interstate utilities, but most of the product of our manufacturing industries are not impressed with an interstate character. They may be consumed in any state, and when finished at the manufactory, are not within the scope and control of Interstate Commerce legislation. Placing such products upon a common carrier does not change the character of the product. After a product is finished and capable of barter and sale, it does not become contraband or nonsalable when placed upon an interstate common carrier. Moreover, even if it were feasible and within the scope of Interstate Commerce legislation, it would not be advisable to place the control of the manufacture of produce and merchandise within the jurisdiction of the Federal Government. A Federal law must be uniform in its application to all parts of the United States, and a law which might be salutary and advisable relating to the manufacture of goods in the tenement districts of New York, Philadelphia or Chicago, might be grossly unjust and unduly onerous in western villages and cities.

A fire-escape in a great city surrounded by conflagration hazards might be unnecessary and unduly expensive in a western village. Absolute uniformity of laws relating to the sanitation and safety of working men in all parts of the United States under all circumstances is not demanded, and in fact, unnecessary, but uniform law or laws approaching uniformity in the different states engaged in like industries under like circumstances is an attainment much to be desired.

It has been urged that it is impossible to secure uniformity of legislation upon any subject in all of the forty-eight states of the United States. This I believe to be true. There are so many different circumstances and environments, and so much difference in the methods, habits and occupations of citizens in the forty-eight states of the United States, that public sentiment could not force absolute uniformity of laws in all particulars. Nonetheless, I believe that cooperation between the great manu-

facturing States of the United States toward the securing of the same or similar laws affecting such industries is urgently demanded and that it is not difficult of attainment.

Geographical locations, facility of transportation, and availability of the raw products necessary to the carrying on of many great industries necessarily centralizes these industries in certain fixed localities. Most of the coal mining of the United States is carried on in five or six states. The manufacturing of textile fabrics is confined to New England and two or three of the southern states. Most of the clock and watch-making is confined to a few states. The manufacture of flour is confined to but a few states. The manufacture of iron and steel is confined to but a few states. The production of cotton is confined to the Southern states. The production of corn and wheat mostly to the states of the Central West. Numerous other instances might be given where the manufacture of certain products are confined to certain limited districts.

From this it follows, in my judgment, that cooperation between states engaged in like manufactures can secure the passage of laws substantially uniform in relation to the conduct of such character of business. Great manufacturing enterprises can only be carried on where power is easily developed, and raw products and transportation are accessible.

The time has come, in my judgment, when the different states of the United States engaged largely in the manufacture of industrial products should, through commissions appointed by the legislature, or the executive of those states, arrange for an investigation of the conditions relating to manufacturing and the advocacy of the laws covering those industries in so far as the health, sanitation, morals and safety of the men and women engaged therein are concerned.

Modern conditions and overwhelming public sentiment favor the passage of such laws. The only obstacle in the way is the refusal of some jurisdictions so to do, thus entailing upon the manufacturers in those states responding to this public sentiment, the hardships of unfair competition by manufacturers in other states, or driving them out of those states which respond to the demands of modern progress into the states who refuse to heed the cry of humanity for decent treatment of the workingmen.

I am confident that if the great manufacturing states of the United States through their legislatures authorized the creation of commissions for securing the enactment of uniform laws relating to safety and sanitation in manufacturing industries, and if these commissions meet in a spirit of fairness and impartial justice, they can, before the meeting of the next ensuing legislatures,

recommend to their respective legislatures the passage of laws affecting with substantial uniformity such manufacturing industries which will be just to both employer and employe, and meet the demands of modern society for laws which will conserve the health and lives of the working men and working women of the nation.

This step towards cooperation of the states in procuring uniformity of laws has been advocated heretofore by some of the best thinkers and political economists of this country. Upon all subjects, of course, it is impossible to secure this uniformity, but upon many subjects, cooperation can be secured. For many years uniformity of divorce laws had been advocated by some of the ablest men and women of the country.

Uniformity of state labor legislation has been advocated, not only in this country, but in many countries of Europe.

A number of treaties of international importance have been made affecting labor. In 1906 fourteen nations united in a treaty forbidding the night work of women in industries. In the same year seven nations united in a treaty forbidding the use of white phosphorus in the manufacture of matches, in order to stamp out the phosphorus necrosis which is so prevalent in this industry.

In 1904 a treaty was made between France and Italy to secure for the workers of each of these countries advantages in the savings banks and the insurance institutions of the other country. In July, 1909, a treaty was made between France and England, giving the workmen of those countries reciprocal rights with regard to compensation for accidents.

Samuel Gompers, President of the American Federation of Labor, is on record as favoring uniform laws regulating child labor and woman's work, and especially the normal work day, hours of labor, compulsory school attendance, and, "even above all these, compensation for the victims of industry."

John Mitchell, a short time ago declared: "The workingmen, in common with all other citizens, are interested in the subject of uniform legislation among the various states and they recognize the necessity and the importance of systematic efforts in this direction. Especially are they interested in uniform and effective legislation for the prevention of industrial accidents."

John Hays Hammond also has declared: "Uniformity in the mining laws of all the states is indispensable. It would obviously be unfair for a state to impose drastic legislation upon its mining industry adding to the cost of production, where laxity in this respect prevails in neighboring sister states."

Isaac N. Seligman, speaking for the National Child Labor Committee, declared: "The importance of uniform legislation is obvious, particularly where states are within the same industrial area."

It may be objected that the enactment of such uniform laws by conference between the legislative committees or commissions from the different states contemplates and requires a compact between the states, and that such compacts are a violation of Section 10, Article 1, of the Constitution of the United States, which declares "That no State shall enter into any treaty, alliance, or confederation." My answer to this is that no official compact or treaty between the states is necessary.

The passage of uniform laws in each state corresponding with the laws of a sister state will be the result, not of interstate agreement, but the result of interchange of experience and wisdom between the citizens of such states. Identical or similar laws can be passed by such great nations as Great Britain, France or Germany without compact, and will be binding upon the citizens and subjects of these great nations when enacted.

Similar, aye, even identical laws are now in force in many of the states of the United States, not as the result of interstate compact or treaty, but as the result of the fact that public sentiment in the several states was harmonious, and secured the passage of such similar or identical laws. But it may be said that the securing of such uniformity of laws by conference between interstate commissions will be a matter of slow development. I think not.

The American Bar Association, some twenty years ago, began a campaign for uniformity of legislation in the different states. It has secured the official selection of Uniform State Law Commissioners in forty-four states and territories. These commissioners have secured the adoption of a uniform Negotiable Note bill in thirty-eight of the states, territories and Federal districts, a uniform Warehouse Receipts bill in eighteen states and a uniform Bill of Lading act in two states. On the Pure Food and Drug matter they urged the adoption by the states of the Federal Act, which has already been endorsed by thirty-five states. Their Marriage and Divorce Act has been adopted in four states.

The result of these activities is promising. If every State Commission acts vigorously and promptly they can secure uniform or similar laws relating to sanitation and life-saving in the industrial states within a reasonable time. If the commissions, upon conference, can agree upon a uniform law, the securing of the enactment of this law in the several manufacturing states is certain to come within a reasonable time. Even if there should

be delay between the agreement upon such a law in these conferences, and the enactment of the law in the several states, the progressive states can place such laws upon their statute books to take effect when all of the manufacturing states shall enact them in their several jurisdictions.

I have no doubt, for instance, that the State of Illinois could place upon its statute books a law covering sanitation and safety of employes in manufacturing industries, which would receive the approval of the legislative commissions from the several manufacturing states, with a proviso that said law should only go into effect when the governor of the state shall ascertain and make proclamation that said law has been placed upon the statute books of certain other states. It is within the province of a legislature in enacting a law to fix the time for its going into effect, and such time may be fixed as a positive date or upon the happening of certain events officially found and promulgated. Uniform laws enacted by the great manufacturing states relating to sanitation and the safety of life and limb of industrial workers is a crying demand of the times, and I believe is a matter of early accomplishment.

This brings us to the consideration of what should be the general character of such laws. Many of the states of the United States have enacted employment laws of great length and particularity. They have specifically covered the number of hours to be worked per day; limitations of hours as to women and children; registration of factories and warehouses; inspection of premises, and appliances; safety devices for machinery; safety devices for scaffolds, hoists, elevators and fire escapes; ventilation and sanitation.

Such states have, as a rule, after the passage of such acts, appointed factory inspectors to enforce compliance with those acts. Other states, notably Wisconsin, California, New York, Ohio and Pennsylvania, have contented themselves in a broad way in placing upon the statute books simple, concise laws demanding the adoption of safe machinery, safe buildings, safe appliances and safe employment, and requiring that all things should be done that are reasonably necessary to protect the life, health, safety and welfare of the employe. Those states have then created Industrial Commissions with power to hear, examine and determine all questions relating to such safety and welfare of employes, and then empowered the commissions to adopt general rules by order of the commission, which orders shall have the force and effect of laws.

In other words, those states give their Industrial Commissions so created, what is practically legislative power in the mat-

ter of the declaration of what buildings, tools, and appliances are safe, sanitary, and for the well-being of the workingmen. While much can be said in favor of the creating of such administrative commissions, and in favor of permitting such commissions to carry out the main, broad and comprehensive intent of the law in favor of sanitation and safety by administrative order in detail matters, it will be urged against giving such tremendous power to those commissions that it is an abdication of the law-making power of the state, to-wit, the legislature of its legislative powers, and that such delegation of legislative powers to such commissions is illegal and unconstitutional. Until the courts have finally passed upon these questions in detail we can not safely say whether this quasi-lawmaking power of the commission will be upheld.

I am here simply to discuss, not the legality of such laws, but the policy of their enactment if they can be enforced. As a matter of policy, I believe that in the determination of such questions as to what is the latest and best safety device to be adopted; what is the best method of securing the best ventilation, what is the best and latest method of securing employes from the acquisition of occupational diseases, and questions of like character, that such matters ought to be left to a standing commission which is always in session, to be determined by such commission from time to time by frequent investigation with the assistance of the most modern experts and scientists.

Changes in the forms of machinery are taking place almost monthly. What is a modern safety securing machine today may be obsolete tomorrow. The science of sanitation is growing by leaps and bounds. Methods which might be approved as skillful and up-to-date this week may be discarded as obsolete and out of date next week.

A commission created for the purpose of keeping pace with the march of modern science, with power to examine from day to day and from week to week new methods and new contrivances, would have a facility of power and effectiveness which could not be obtained in any cast-iron law passed by a legislature in its biennial sessions. I believe in the creation and operation of such commissions operating through administrative orders so far as the courts will permit same to be done.

Nonetheless, I see no good reason why a legislature should not, in its laws relating to manufacturing industries, incorporate in such laws full and plenary provisions securing safety and sanitation by methods which have received the approval of science after full investigation up to the date of the passage of such laws, leaving the industrial commissions created contem-

poraneous with the enactment of such laws to supplement these laws in detail matters by commissional order. Such commissional orders, however, should be uniform and applicable alike to all classes of citizens and manufactories in similar classes.

I doubt much the advisability of that provision of the Wisconsin law which permits a commission to make special orders applicable to special cases. Private legislation by legislatures in the past, appearing on the statute books in the shape of private law, became a scandal and a disgrace and forced, in many states, a revision of the constitution, prohibiting such legislation. Special orders by a commission seems to me just as objectionable as private laws enacted by a legislature. In some cases such special orders work no injustice, but the power to make such special orders opens the door to the possibility of grave abuses, and, in my opinion, is dangerous and unnecessary.

I do not pretend to have made a careful examination into the workings of the Wisconsin law creating the industrial commission, which declare in such simple, concise, and generic language the duties of the employers of that state, and the powers of that commission, but I see no good reason why a legislature, in the passage of laws covering the employment of men and women in the manufacturing industries, should not place upon the statute books enactments requiring specifically the adoption of such measures and appliances as modern science and modern experience has shown to be necessary to, and productive of, the safety, health, and welfare of such employes, and then as auxiliary thereto appoint a commission with the powers given by the Wisconsin law to strengthen the statute law by investigation and commissional order in relation to details relating to safety, health and welfare, which may not be specifically covered by such law. This, in my judgment, would be a wise and conservative method of procedure.

Reasonable laws for the protection of the life, health, safety and welfare of employes are essential to the political and social health of the states and the Nation. Such laws should be uniform in fairness to the employers. Uniformity should come, and will come, from cooperation between the states, and it is the duty of every citizen interested in the well being of our industrial classes, and the prosperity of our country to cooperate in bringing about this much desired accomplishment.

PROCLAIMING THE BIRTHDAY OF ILLINOIS.

PROCLAMATION TO THE PEOPLE, NOVEMBER 16, 1914.

Illinois was admitted to the Union of the States on December 3, 1818, and we are fast approaching the centenary of the birth of this State.

The Forty-eighth General Assembly has already laid the foundation for a historical commemoration of the event.

In view of these facts, I have been requested by the Chicago Association of Commerce, the Peoria Association of Commerce, and the East St. Louis Commercial Club, and the Cairo Association of Commerce, and many prominent citizens, to proclaim December 3 the birthday of the State, as a State holiday, upon which day commercial and civic organizations throughout the State may appropriately celebrate the day.

In view of the widespread desire for the setting apart of this day as a day distinctly of State commemoration, I hereby respectfully request the citizens of the State of Illinois, without interfering with their daily avocations, to participate in commemoratory services of the admission of the State of Illinois to the Union of States on December 3, 1914, and to signalize the birth of a State which within a century has so rapidly advanced into the front rank among the States of the Union.

In witness whereof, I, Edward F. Dunne, Governor of the State of Illinois, do hereunto set my hand and cause to be affixed the Great Seal of the State this sixteenth day of November, A. D. 1914.

THE LAW AND PRACTICE IN REQUISITION.

STATEMENT TO THE PUBLIC, NOVEMBER 28, 1914.

If Judge Gemmell of the Municipal Court of Chicago is correctly quoted in the papers, he is amazingly ignorant of the law relating to the extradition of fugitives from justice.

As reported by the papers, he intimates that before a governor can honor the requisition of another governor he must await for and consider evidence taken before a court in this State. Such is not, and never has been, the law. When the governor of any state shall demand the extradition of any person in this State as a fugitive from justice, and shall have complied with the requisitions of the act of Congress, and forwarded a copy of the complaint or indictment attached to his requisition duly authenticated, it becomes the duty of the Executive of this State, upon ascertaining the identity of the person sought and that he has fled to this State, after the commission of the alleged crime, to issue his warrant for the apprehension of the fugitive and deliver the fugitive to the agent of the governor of such requisitioning state. No proceedings in court are necessary and no evidence need be submitted to the Governor, Judge Gemmell to the contrary notwithstanding.

In the proceedings before Judge Gemmell, as soon as he was notified that a warrant of extradition had been issued by the Governor of this State upon the requisition of the governor of Iowa, it was his duty to respect that warrant. Judge Gemmell, as a municipal judge, has no jurisdiction on habeas corpus, and has no power of any character to interfere with the Governor's warrant.

Section 3 of the fugitive act does provide for a hearing before a court when a man is arrested in this State as a fugitive from justice of another state *when no requisition has been made by the Governor of a foreign state and no extradition has been issued by the Governor of this State.*

In the case before Judge Gemmell, when the Governor's warrant was issued, the prosecution properly entered a motion for nolle of the proceedings which Judge Gemmell wrongfully and improperly refused. In the case of Hemstreet, I have refused to recall the warrant of extradition, but as a matter of favor to his

attorney, who claims that his client is deaf and dumb and innocent, I have written Governor Clarke of Iowa the defendant's contention, and asked him for his desires in the matter. I was moved to this because of the fact that the defendant is a deaf and dumb man, who seems to be struggling for a living. If the Governor of Iowa wants him, under the law, his requisition must be honored, and the defendant extradited to Iowa.

THE SCOTCHMAN IN AMERICA.

ADDRESS TO ST. ANDREW'S SOCIETY, CHICAGO, NOVEMBER 30, 1914.

Mr. Chairman and Gentlemen:

It gives me much pleasure to participate with you at the banquet board in the commemoration of Scotland's national holiday.

It is not the first time that I have attended a St. Andrew banquet. I retain very pleasant recollections of former occasions when I enjoyed your hospitality and good cheer.

At a St. Andrew banquet you meet not only a lot of congenial, good fellows, but many of the most representative men in public and commercial life of this great city. I am not here to consume your time with the commemoration of the achievements and glories of old Scotia in the past, great as they have been. The Scotch people have ever asserted their rights to liberty and independence, in the forum and on the battlefield. They resisted stoutly and aggressively their English neighbors for many centuries, and only when they succeeded in getting a Scotch king upon an English throne did they desist in their warfare upon the English. Since that time it must be conceded that they have been as loyal and have remained as faithful to the British Constitution as have the English themselves.

I will not descant upon the courage and valor of your Robert Bruce, nor your William Wallace, nor dwell at length upon the contributions of your David Hume and Adam Smith to philosophy, science and history, nor shall I pay a well-merited but unnecessary tribute to the genius of Bobby Burns and Sir Walter Scott, nor to the rugged literary grandeur of one of the most forceful historical writers in the English language, Thomas Carlyle.

Let me spend but a few minutes in discussing the contributions of brain and brawn made to this great, cosmopolitan Republic by the men of the Scottish race.

Proverbially, the Scotchman is a money maker and a money saver, and because of this sagacity and frugality, the Scotchman has made himself felt in every portion of the commercial world, but the Scotchman can be as open-handed and generous-hearted as a man of any nationality on earth.

Andrew Carnegie is probably one of the greatest money makers in modern history, and yet this man, with his great acquisition of wealth, has been even greater in the generosity of his benefactions.

No man in the world, so far as I know, has done more in the way of bringing about a sentiment for peace and universal disarmament than has Andrew Carnegie, and no man has done more to bring about the education of the multitude by the foundation of libraries throughout the world than has this same Andrew Carnegie. Unlike most benefactors, he has lived to see the splendid accomplishment of his generous heart, and I trust with you that his days may long be numbered to continue these magnificent benefactions throughout the world.

Although the emigration to this country from Scotland has not been as great as that from Germany, Ireland, Sweden, Italy or Russia, the Scotch immigrant in this country has made up for his lack of numbers by the force of his personal character.

Among the great men who have graced the bench of the Nation and the states, we find the names of Storey and Kent, Marshall, Harlan and David Davis, all of whom I believe were proud to claim that they were of Scotch ancestry.

Patrick Henry was either a Scotch-Irishman or an Irish-Scotchman. I suppose he got the name of Henry from some Scotch father, while Patrick was probably attached to it by some enthusiastic Irish mother, but whatever his origin, he was historically the first Governor of the territory upon which we now stand. In the Statehouse at Springfield, among the portraits of its Governors, at the head you will find the portrait of that great Scotch-Irish-Virginian, Patrick Henry.

George Rogers Clark was a Scotch-Irishman, who received his commission to recover the Northwest from British rule from Patrick Henry, and this gallant man, at the head of a band of 153 men, among whom were Scotch, Irish and Virginian names most numerous, succeeded after a marvelous march through the wilds of the western territory, in capturing the British Fort Kaskaskia, which was then the Capital of Illinois, and then secured the surrender of the British garrison in the town of Vincennes, Indiana, and thus wrested from the British Crown the marvelously rich valley of the Mississippi, and placed it under the folds of the American flag.

No more romantic adventure appears in the pages of history than that enterprise, daring and almost incomprehensible as it was. It was pregnant with more far-reaching results than any accomplishment on the great battlefields of Europe. The storming of Kaskaskia and the capture of Vincennes turned over to the young American Republic a territory upon which now live one-half of the population of the United States, a territory which is probably the most fertile on the face of the earth.

Edward Coles, one of the early Governors of Illinois, a Virginian by birth, was of Scotch origin.

McLean, the first Speaker of the Illinois House of Representatives, was a Scotchman, and gave his name to one of the largest and richest of Illinois counties, McLean, the county seat of which is Bloomington.

Governor Ninian Edwards, the man for whom the State recently erected a monument at Warsaw, Illinois, was the third elected Governor of Illinois, and was of Scotch origin.

General John A. Logan, the greatest volunteer soldier of the War of the Rebellion, and Senator for many years in the United States Senate, was of Scotch-Irish ancestry.

James S. Ewing, Minister to Belgium under President Cleveland's administration, is a Scotchman, and a member of the Ewing family, prominent in early Illinois history.

McClernand, Speaker of the House of Representatives of Illinois, Army leader and friend of Lincoln, was a Scotchman.

Governors Oglesby, Yates and Palmer, all boasted of their Scotch ancestry, and Stephen A. Douglas, the little giant of the West, and the great antagonist of Lincoln, was undoubtedly of Scotch descent.

With such a record, the Scotch-Americans of this community may well boast of the splendid part they have played in the upbuilding of this State and Nation.

In the commercial and financial theater of action all of us concede that the Scotchman and the Scotch-American has played a most honorable and useful part, and a part of which all Illinoisans are proud.

I congratulate you upon the record, and congratulate you that year after year you maintain this splendid organization with its splendid record of benevolence and charity, and trust that the success already secured by your organization may long continue in this city and in this State with the beneficent results that have followed it in the past.

THE PAST AND FUTURE OF ILLINOIS.

ADDRESS TO COMMERCIAL ASSOCIATION, SPRINGFIELD, DECEMBER 3, 1914.

Mr. Chairman and Gentlemen:

For nearly a century the State of Illinois has been without a State flag or a State official anniversary.

Whether we should adopt a State flag, following the precedent by many other States, or whether we should be content to remain with no flag but the starry emblem of our Nation, is a matter about which there may be some difference of opinion. But that we should have an official Illinois Day, upon which to commemorate the progress and achievements of this great State, I do not believe will be seriously questioned.

The great commercial organizations of Illinois seem to be firmly of this opinion. A wide-spread sentiment in favor of it I find to prevail among all classes. Because of this sentiment, as I have found it, I have deemed it my duty, as Executive of this State, to declare by proclamation December 3, the day upon which this State was born and upon which it was admitted into the union of states, as a day appropriate to be set apart for the commemoration of the material and moral progress which this State has made among the states of the Union. In so doing, I have not requested the laying aside of the ordinary avocations of life, but have simply suggested to the people of the State that the birthday of the State could be appropriately celebrated without interference with the business activities of its citizens.

I have noticed in going to other states a manifestation of more state pride in those states than there has existed up to the present time in the State of Illinois. On a recent visit to Georgia, I noted that the Georgians had a state flag of which they are extremely proud, and I found it pinned upon the buttonholes of many of the residents of that state, and they are wont to speak with peculiar pride of the part that Georgia has played in the history of these United States. I know of no reason why the men of Illinois should not be as proud of the history of their State, as are the citizens of Georgia.

True it is that we were not one of the original thirteen colonies, and did not therefore become one of the thirteen original confed-

erated states, but if we were not then one of the original states, upon the soil of Illinois there was enacted during the War of the Revolution one of the most glorious episodes in American history. While the thirteen colonies were engaged in a life and death struggle with the kingdom of Great Britain, as the result of which they wrested from the mother country their independence as autonomous states, on the soil of Illinois a struggle took place during that same war with consequences so tremendous that it has redounded not only to the tremendous aggrandizement of the young American Nation, but in glory to this State which can never be forgotten.

In 1778, Patrick Henry, then Governor of Virginia, was approached by a daring spirit in the person of George Rogers Clark, who suggested to him the granting of a commission to him (Clark) for the wresting from British control of the fertile valleys east of the Mississippi River. Clark was without money and without troops, and without the munitions of war. The Old Dominion herself was engaged in a struggle with Great Britain, which taxed all her energies and occupied the attention of all its fighting men, but Patrick Henry was not only a public official and a brilliant orator, but one of the most far-seeing men of his day.

Wild and visionary as the scheme might have seemed to other men, he became attracted by its very daring, and although he was unable to furnish either men or means to the daring applicant he gave him a commission empowering him to raise an expedition of men, and in the name of Virginia, to plant the American flag upon the forts held by the British in the northwest territory. To commission a man to undertake such a project at such a time, and in such a way, as we look upon it now, seems to border upon the quixotic, and yet it is a fact incontestably recorded in history.

Upon receipt of the commission, the daring and heroic Clark proceeded to its execution. How he crossed the Alleghenies, the bridgeless rivers, and the trackless wastes that then lay between Virginia and the Mississippi River, only Clark and the adventurous men who accompanied him can tell.

However, it was accomplished. Clark and 153 men in the spring of 1778 captured Fort Massac on the Ohio River, and thence through the swamps and mountains they found their way to the fort of Kaskaskia on the Mississippi River, and ill-clad and ragged as they were they succeeded in surprising and capturing that British fort and placing over it the flag of the young Republic. The nearest British fort was then at Vincennes, Indiana, and soon it came to the ears of Clark that the British forces in that fort were about to be reinforced by British troops from Detroit, whence it was planned that an expedition should start to reconquer Kaskaskia. With extraordinary daring Clark conceived the idea of

surprising Vincennes before these reinforcements could arrive. With about 200 men he again traversed the State of Illinois from the Mississippi to the Wabash in the middle of winter, laying siege to, and capturing the fort of Vincennes. A more daring, courageous and successful campaign was never waged. The results were probably the most comprehensive in the history of the United States.

As the result of this extraordinary expedition, the northwestern territory at the close of the Revolutionary War was in the hands of the long-knife soldiers and frontier men from Virginia and, when peace was concluded, Great Britain was compelled to acknowledge that the frontier men from Virginia were in possession of the territory to the east of the Mississippi and under the terms of the treaty of peace, all this territory was recognized as belonging to the thirteen colonies and was divested forever of British rule.

To the west of the Mississippi there lay a tremendous territory between the Mississippi and the Rocky Mountains, to which the Spaniards claimed possession. It was practically unpopulated, however, by white men, and the Spanish tenure was therefore most insecure, and when the great Napoleon succeeded in overrunning Spain, and placing his brother upon the throne, he secured a relinquishment of the Spanish title to France, and soon after, being sorely pressed for money, Napoleon surrendered, for a nominal consideration, all title to these United States. Thus we find, as the result of this extraordinary enterprise of George Rogers Clark and his small band of Virginians and Kentuckians, the United States now owns the most fertile valley on the face of the earth, upon which now live practically one-half of the population of the United States. In that valley there now live prosperous, happy and contented, about 50,000,000 American freemen.

Upon Illinois soil on the 4th day of July, 1778, took place a struggle, which, as we see, has eventuated in incorporating 50,000,000 of people in the body politic of the United States, and what a wondrous story has been the growth and development of this State from that time to this! Have you ever noted the peculiar formation of the State of Illinois, and its surroundings? Look at its map and you will find Lake Michigan in the shape of a great index finger pointing southward to the northeast corner of the State, the finger of destiny, with the point of that finger resting upon the great metropolis of the West where now nearly 2,500,000 people are engaged in developing what I believe will eventually be the greatest city on the western continent.

Again, have you ever noted the peculiar shape of this State? Trim off the straight boundary line which rests between it and Wisconsin, and it takes the shape of a human heart, the heart of the Mississippi valley, the throbbing nerve-center of the United States,

and running across its fair bosom northeast to southwest runs the mighty Illinois River, navigable for 263 miles, like a cordon of the legion of honor. Nearly 6,000,000 people now dwell in comfort and happiness within its borders.

The first state in the United States in the valuation of its crops, the second in mining, third in the production of oil, in population and in political and commercial importance, and the greatest manufacturing state in the United States west of the Alleghenies. Of the 2,950 counties in the United States, the first eight produced about 2 per cent of the total value of all the crops of the year 1913. In other words, these eight counties produced over $95,000,000 worth of crops. Four of these counties out of the eight are within the State of Illinois, viz: McLean, Livingston, Iroquois and LaSalle.

The average value per acre of the land of Illinois is three times the average value of the land of the United States. These figures show the tremendous progress of the State of Illinois up to date. What of the future?

Her roadways are as yet practically undeveloped. Her great waterway, the Illinois River, is clogged and stopped. Of the 90,000 odd miles of roads of this State, less than ten per cent can be called good roads. The average of improved roads in the State of Illinois is less than the average of the improved roads of the United States.

First in the valuation of her agricultural products, second in the valuation of her mines, third in the production of oil, in population and in commercial and political importance, she ranks twenty-third of the states of the United States in road improvements. Her great waterway, the Illinois River, which, if developed to Lake Michigan, would give a water highway from the lakes to the gulf and the Panama canal, is still clogged, because about sixty miles of that river runs through a rocky formation. In other words, the great State of Illinois has achieved its wonderful progress without any intelligent development of either its great waterway or its roadways.

Must we be content with what nature has done for her or will we assist nature and at once really demonstrate the future greatness of our State? If we had good roads in Illinois, it would enable the farmers to take the produce of their farms into the cities and railways stations and waterway terminals, and the value of Illinois land before long would be doubled.

If we can break through the rocky strata of 60 miles which now separate the great lakes from the Mississippi we can develop a waterway commerce which will astonish the world. We have

already commenced to improve our roadways. The people are at last awakening to the drawbacks resulting from mud roads, which are impassable for at least one-third of the year.

The last Legislature wisely placed upon the statute books a law, under which the State cooperates with the counties, and I am satisfied that an aroused public sentiment will soon eventuate in pulling Illinois from the twenty-third position of disgrace which she now occupies among the states up to the place in which she should hold among the progressive states of the United States.

I am confident that the movement to improve our roadways will soon result in pulling Illinois out of the mud.

As to the waterway, at the present time, south of St. Louis, in the Mississippi River, there is a channel of about eight feet in depth. Federal engineers have reported to the United States Government that, to secure a greater depth in the Mississippi, would involve a cost so enormous as to make a further depth a commercial impossibility in the present state of engineering science.

With a depth then in the Mississippi River of eight feet, why cannot we acquire the same depth in the 60 miles of river and canal lying between Joliet and Utica. Within the last sixty days, at my request, four intelligent and practical engineers have made a study of the problem and have reported to me that such a channel can be had, and quickly secured, for the whole of that 60 miles, at a cost to the State of Illinois of $3,075,000. This channel can be completed within two years, and we get a waterway from the lakes to the gulf for immediate use by the citizens of Illinois.

The commercial associations of the State have examined the plan, and I am pleased to say that it has been universally approved. I have not found a single critic as yet to attack it. Let us then not be content with the tremendous prosperity shown by our great and glorious State in the past; let us awake to the opportunities of the present and the future. Let us develop our roadways for the benefit of our farmers and stock raisers, and let us remove the blot and stain upon the history of this State in allowing 60 miles of an impassable waterway to retard the progress and advancement which should be ours.

With this channel completed in two years, at a cost of about $5,000,000, and with our roadways developed into durable commercial highways as they should be, I can see an era of prosperity for this State which can not be measured in ordinary language. A prosperity which within one-half of a century would place this State as the premier State of the American Republic.

UPON REFUSING TO ISSUE CERTIFICATES OF ELECTION IN CERTAIN CASES.

STATEMENT TO THE PUBLIC, DECEMBER 24, 1914.

While I have the absolute right, in accordance with the terms of section 78 of the chapter on elections relating to the canvass of election returns by the State Canvassing Board, or any two of them, in the Governor's presence, and pursuant to the opinion of the Attorney General of this State, to proclaim elected and issue certificates of election to Thomas F. Byrne as State Senator from the Eleventh Senatorial District, Joseph Strauss as State Senator from the Twenty-third Senatorial District, and Robert Howard as a Representative from the Thirty-fourth Senatorial District, I have determined, in view of the divergent opinions existing between the members of the State canvassing board as to the persons who received the highest number of votes for said offices, not to issue any proclamations or certificates of election in said Senatorial Districts as to said offices, leaving the matter of such elections to be determined by the Senate and House of Representatives, respectively, where the ballots can and should be opened and counted and the persons really elected can and should be definitely and surely ascertained and declared elected.

ON THE ISSUING OF ELECTION CERTIFICATES.

STATEMENT TO THE PUBLIC, DECEMBER 29, 1914.

On last Saturday, Mr. Masters of the Springfield Bar, representing Mr. Joseph Strauss, Democratic candidate for Senator, called upon me to ascertain whether or not I would expedite the hearing of a mandamus case against me as Governor in connection with the senatorial contests, by signing certain papers that he would prepare.

I suggested to him that he confer with the legal representative of Mr. Austin, the Republican candidate for Senator, and that they both confer with the Attorney General to ascertain whether we could agree upon some method of finally disposing of the same in court expeditiously.

Yesterday, the 28th instant, Mr. Masters, and Mr. M. J. Stein, representing Mr. Austin, called at my office in the effort to agree upon a plan for an early and final hearing of a mandamus suit against me in the matter of the issuance of certificates of election, and the proclamation of candidates.

I informed them I was willing to expedite in every possible way the hearing of such a case in court, provided a final decision could be rendered binding on all parties within a few days. It was pointed out by Mr. Stein that if any mandamus proceeding was commenced against me as Governor by Mr. Strauss, that under section 7 of the Mandamus Act, Mr. Austin would have to be made a party defendant "upon his application," and that he, Austin, would "appear and plead, answer and demur in the same manner as if he had been made defendant to the original petition," and that if a suit were commenced in the Circuit Court in Sangamon County against me as Governor that Austin would appear therein, and would pray an appeal, if any judgment was entered against me as Governor, to the Supreme Court.

The right of Austin to appear in any such proceeding was conceded by Mr. Masters. It then became apparent that no final determination of the case could be had until the meeting of the Supreme Court in February, for the reason that any one defendant has the right to appeal, in which case, the appealing defend-

ant, under section 97 of the Practice Act, "shall be permitted to remove such suit to the reviewing court by appeal or writ of error, as may be by law allowed, and for that purpose shall be permitted to use the names of all of the defendants, if necessary," and no final order could be executed in the Circuit Court of Sangamon County until the appeal was disposed of in the Supreme Court. In other words, it became apparent that no final disposition of the proceedings in court could be had until after the Senate convened, and that nothing could be accomplished by any agreement between myself, as Governor, and the complainant if a mandamus suit were started against me.

FAVORS SIMPLIFIED SPELLING.

ADDRESS TO STATE TEACHERS' ASSOCIATION, SPRINGFIELD, ILLINOIS, DECEMBER 29, 1914.

Mr. Chairman, Ladies and Gentlemen:

It gives me much pleasure to meet so many of the trained teachers of this State assembled at this convention.

Because of your intelligence, superior education, and experience in teaching you are well qualified in your deliberations to make recommendations in the interests of the education of the children of the State. Probably it is not for me to give suggestions, but I think I can appropriately speak a word of commendation on one matter in which we have a common interest.

I congratulate the teachers of this State upon having among their membership so many who are in favor of a simplified spelling movement. I believe that the movement initiated in your ranks, and it has been a puzzle to me why it has not made more distinct and positive progress. Probably the reason lies in the fact that adult men and women who have completed their education in spelling have become so inured to the old stereotyped forms that it has become second nature with them and difficult to shake it off.

If it is started in the schools, however, the children educated in simplified spelling will adhere to it when they arrive at mature age, and the problem will be solved. It lies, then, with the teachers in the universities, normal schools, and common schools of the State to push this great reform.

Why should the child be compelled to memorize and retain all his life the inconsistencies and absurdities of our present spelling? If the child has spelled a word according to its sound, why should the child be taught to tack on to the sound the useless "ugh"? Why should he be compelled to write "ph" instead of "f"? Why should he be compelled to write "ei" or "ie", "ea" or "ee" in such words as deceive, believe, retreat, discreet? Why not write the accented vowel in all of them? Why should he write succeed, but recede; proceed, but precede?

The only argument against simplified spelling is that given by one of my children now in the high school. "If I have gone

to all the trouble," said he, "of learning how to spell under the present style, why should you simplify it? Other children under your new system would be relieved of all the labor that I was put to." This is the child's argument, but an unjust one.

In the interest of children now growing up, simplified spelling should be taught both as a saving of labor on the part of the student and on the part of the teacher.

I believe that phonetic spelling, if adopted, would shorten the ordinary child's course in school at least one year.

I congratulate you upon your efforts in this direction, and I hope that your efforts will be continued and more comprehensive.

I wish you a most successful and productive convention.

WHAT HAS 1914 DONE FOR ILLINOIS?

STATEMENT TO THE CHICAGO DAILY NEWS, DECEMBER 30, 1914.

Nineteen Fourteen has secured for the State of Illinois:

First. Reform in its penal institutions. In Pontiac, the boys no longer are beaten and battered, and overwork upon task work is a thing of the past. They are given one hour a day recreation. Regeneration rather than vengeance is the watchword of the State in dealing with its convicts. At Joliet and Chester, one hour recreation per day is given the men, and convicts are now employed building roads for the State, and are employed upon the penitentiary farms upon honor. To their credit, they have responded to the change of treatment. There have been few escapes, and an almost universal keeping of honor pledges.

Second. Physical punishment of the boys and girls in the State School for Boys at St. Charles, and the State School for Girls at Geneva has been abolished.

Third. The straight jacket and other instruments of physical restraint have been banished from the asylums of the State. Forbearance and kindly treatment has been substituted therefor.

Fourth. The eight-hour day has been instituted in several institutions of the State.

Fifth. The public utilities of the State have been placed under State control. Rebates, passes, and favors to public officials and other favorites have been abolished. Discrimination in rates has been abolished, and the public utilities of the State are being compelled to give reasonable service at reasonable rates to the public.

Sixth. A great and comprehensive start has been made in pulling Illinois "out of the mud" and building decent highways throughout the State.

Seventh. Adequate State levees have been constructed at Cairo, Shawneetown and Mound City, securing those cities against the floods which threatened to overwhelm and obliterate them in the year 1912.

The year Nineteen Fifteen promises for the State of Illinois:

First. The probable enactment of a law authorizing the construction of an eight-foot waterway between Joliet and LaSalle, thus opening up a waterway from the lakes to the gulf, of the

same depth now maintained in the Mississippi River and opening up a commerce in the Mississippi valley from the great lakes along the Illinois River to the Panama canal, insuring a lowering of railroad rates between the Mississippi valley and the Pacific coast.

Second. The probable enactment of a law under which the State will have the right to examine into the reasonableness of fire insurance rates fixed arbitrarily by a combination of the great fire insurance interests of the State, and State regulation of these rates.

Third. The opening up of the new epileptic colony at Dixon.

Fourth. Developing an extension of the insane asylum at Alton.

Fifth. Reorganization and concentration of many of the different departments of the State which will result in efficiency and economy of government.

UPON DEVELOPING THE STATE MILITIA.

STATEMENT TO NEW YORK TIMES, JANUARY 16, 1915.

In answer to yours of the 13th instant, would say that I believe the states and the Federal Government ought to encourage the further development and increase of the militia of the different States.

I do not believe that the American people favor, or will favor, a large standing army. The only alternative between a large standing army and unpreparedness for defense in the event of war is the establishment of a citizen soldiery.

The major portion of the equipment used by the military of the several states is furnished by the Federal Government as a charge against allotment to states made by congressional appropriation, and the military authorities of the state become responsible therefor. This plan is good because it results in standardization of equipment. The state furnishes the arsenals and armories and bears the expense of maintaining her military force under the direction of the Governor as Commander-in-Chief, through his Adjutant General.

From this cooperation between the state and Federal forces, there has arisen mutual obligation and responsibility and as the state forces are required, as closely as possible, to acquire the efficiency of the regular establishment, much additional preparation and time and labor on the part of officers and men, in connection therewith, is now required. No compensation is paid the enlisted men except $1.00 per day while they are on their tour of instruction, which does not exceed twelve days annually. This period being admittedly insufficient to secure that high degree of efficiency desired, much additional time must be spent by officers and men through the year in securing military preparedness. This time is given to the state absolutely gratuitously and involves from one to three evenings a week. In this situation there has arisen the thought that if a man is willing to enter into a volunteer enlistment and sacrifice his time and many civilian interests in order to prepare himself to answer the emergency call of either his state or Nation, that equity would demand that

he be not penalized therefore by being compelled to pay from his own individual funds for the privilege.

To the end that at least that burden should be lifted, I favor the enactment of a Federal law which will compensate these men at the rate of $1.00 per day for each day spent in drilling throughout the year, provided at least forty days during the fifty-two weeks are actually devoted by the men to military training. I think if this additional inducement were given to the rank and file that the militia forces of the different states would be doubled within a very short time.

ON THE DISSOLUTION OF AN INJUNCTION AFFECTING LIVE STOCK.

STATEMENT TO THE PUBLIC, FEBRUARY 1, 1915.

I have just been informed that Judge Irwin has dissolved the injunction heretofore granted by him in the case of Norton against Dyson.

The injunction should never have been granted. It has been very productive of hardships upon the farmers and stock raisers of this State. The physical effect of the injunction was not so serious but the moral effect was to induce farmers and stock raisers to believe that the State in advocating the slaughter of infected and exposed cattle was making a mistake and pursuing an unjustifiable policy.

At the time this injunction was issued, there were not to exceed twenty-five affected herds in the State under quarantine and under consideration for slaughter. Since the issuance of the injunction, I am informed, many farmers acting in the belief that the injunction was properly issued, and that quarantine, and not slaughter of diseased and exposed animals was the proper course to pursue, have kept from the State and Federal veterinarians knowledge of the existence of the foot-and-mouth epidemic in their herds, and have refused to agree to the slaughter of their herds upon an appraisal.

There are today in the State of Illinois between fifty and sixty herds of cattle infected, which should be slaughtered as soon as preparations can be made therefor.

This mischievous injunction now being out of the way, I call upon all stock raisers and farmers in the State of Illinois to cooperate with the Federal and State veterinarians in maintaining the Federal quarantine which the State was constrained by this injunction to adopt, for the more effective eradication of the disease.

At the earliest possible moment I hope to secure the consent of the Federal authorities in releasing from time to time the districts now under quarantine. I invoke their further cooperation in consenting to the slaughter of infected and exposed herds after an appraisal has been made. The consent to slaughter and disinfection will effectively operate toward a condition where the

State and Federal authorities can from time to time safely lift the quarantine from those portions of the State where it is now in force.

I shall, as I have heretofore announced, cooperate heartily with the Legislature in providing for an appropriation to compensate the owners of slaughtered herds for one-half of the value of the same, the Federal Government already being on record in favor of compensating for the other half.

I can assure the stock raisers of the State of my hearty sympathy with such an appropriation.

PUT THE UNEMPLOYED ON ILLINOIS WATERWAYS.

ADDRESS TO ELKS CLUB, CHICAGO, FEBRUARY 6, 1915.

Mr. Chairman and Gentlemen:

One of the most important problems confronting modern society is the problem of the unemployed.

At the present time, and during every winter in the large cities of the Nation many men and women are found to be out of work, and any expedient that can be devised to bring legitimate work to the unemployed is worthy of the closest attention. I believe that the State of Illinois is at the present time in a condition to relieve much of this distress, and at the same time carry out a great public improvement which is absolutely necessary and essential to the further development of this State.

Between Chicago and Joliet we have a great waterway, the Sanitary district canal, 22 feet in depth and with an enormous capacity for commerce. Between Joliet and LaSalle for 65 miles, we have a waterway available only to prehistoric canal boats drawing four feet of water. Between LaSalle and Grafton, where the Illinois River enters into the Mississippi River, we have a splendid waterway of 232 miles that, without dredging, averages seven feet in depth, and between Grafton and Cairo, the Mississippi River has a channel eight feet in depth. The only obstacle to a tremendous commerce by self-propelling and tow barges, capable of carrying from one to two thousand tons, between Chicago and the great lakes at one end and the Gulf of Mexico at the other end, is the 65 miles of inadequate and undeveloped waterway between Joliet and LaSalle, which acts as a stone wall in the way of commerce.

Such being the situation, I traveled on a barge down the old Illinois and Michigan canal from Joliet to LaSalle last summer, and invited four eminent and experienced engineers to accompany me on the trip. Prior to that time, different engineers in the State had been advocating a waterway, some of them insisting upon a 14-foot channel, and others insisting upon a greater depth.

During the trip down the canal, I suggested to the engineers who accompanied me that the channel in the Mississippi River

from Grafton to Cairo was only eight feet in depth and that Federal engineers had reported adversely against the practicability of a greater depth and suggested the propriety of devising some engineering scheme which would give the people an eight-foot depth in a waterway between Joliet and LaSalle without foreclosing the further development and deepening of this channel to a further depth, if the time should ever come in the development of engineering when a greater depth could be produced in the Mississippi River. As the result of this suggestion, these different engineers who prior to that time had been advocating differing depths and projects, finally agreed in a written report to me, signed by all of them, that a dam could be built across the Illinois River at Starved Rock, near LaSalle, and, by the construction of certain locks in the Illinois River and in a portion of the old canal, that a waterway could be successfully completed between Joliet and LaSalle, eight feet in depth at a cost of about $3,075,000.

This project, they reported, could be completed within two years at this moderate cost, and I have, therefore, recommended to the Legislature the passage of a bill appropriating not to exceed $3,500,000 for the furtherance of this sane and sensible project. I know of no scheme of more momentous importance to the State of Illinois than the building of this 65 mile waterway between Joliet and LaSalle at this depth of eight feet, utilizing the Illinois River for 45 miles and the old Illinois and Michigan canal for 20 miles.

The Panama canal is now open to the commerce of the world. New Orleans is about 900 miles nearer to that canal than New York, Boston, or any other of the eastern seaports. Since the opening of the Panama canal, freight rates between New York and San Francisco by waterway are found to be considerably cheaper than rail rates across the continent. As a result the trans-continental railroads have been compelled to cut their rates, but in cutting these rates they have confined the cuts to the territory east of the Alleghenies and west of the Rocky Mountains, leaving the rates for the great Mississippi valley undisturbed. The rates in the Mississippi valley have not been lowered, because we have no competition from waterways. If the 65 miles of waterway between Joliet and LaSalle were finished and open to commerce, we then could transport our merchandise from the great lakes down the Illinois River and Mississippi River to the Gulf of Mexico and get even better waterway rates than now prevail between New York and San Francisco. As the result of cutting of the railroad rates on the transcontinental lines east of the Alleghenies and west of the Rocky Mountains, the Saturday Evening Post, a few weeks ago called attention to the fact that

trade was being diverted from as far west as the states of Indiana and Ohio to New York, and thence placed on shipboard and transferred to the Pacific coast.

If this 65-mile gap in the waterway between Chicago and New Orleans were open, all of this trade, now going to the eastern seaboard, would go by water from Lakes Erie and Ontario through the Detroit and St. Clair Rivers to Chicago and thence down the Illinois and Mississippi Rivers.

Colonel E. S. Conway of W. W. Kimball & Co., declared recently in a public address that, if an eight-foot channel was opened between Joliet and LaSalle, freight rates from Chicago to New Orleans would be reduced from $1.10, the present rate, to $0.40 per hundred. Other manufacturers and merchants who are extensive shippers of merchandise are of the same opinion. The Illinois River, as a waterway in transporting capacity, is equal to the River Rhine in Germany. The Illinois River for 232 miles has a depth today without dredging of 7 feet. The distance between Chicago and the Mississippi River along the drainage canal and the Illinois River is 327 miles, and there is a depth of 7 feet or over during the whole of its course excepting the 65 miles between LaSalle and Joliet.

The River Rhine is 355 miles long between the Dutch frontier to Strassburg; its depth varying from 9 and 8-10 feet to 4 feet. In the year 1908, 54,000,000 tons of merchandise were transported up and down this river. I am satisfied that, if this gap of 65 miles in the waterway between Chicago and New Orleans was developed to an 8-foot depth, a greater commerce would ply between Chicago and New Orleans annually than is now carried up and down the Rhine.

Thousands of men are now out of employment. A tremendous potential commerce lies at our door. This commerce should come, first, from the immediate banks of the Illinois and Mississippi Rivers; second, from the tributaries of those rivers; third, from the great lakes; and fourth, from the Gulf of Mexico. In my judgment, with such opportunities before us, to fail to take advantage of them, is almost criminal.

In view of the fact that thousands of men are out of employment and that this work is so easy of accomplishment and can be completed at such a moderate cost within the next two years, I, therefore, urge with all the emphasis of which I am capable that now is the time and now is the opportunity for the development by our great State of this waterway, and that it will not only give employment to the unemployed at present but that its completion will furnish opportunities for future employment in the commerce that will inevitably develop as the immediate result thereof.

LINCOLN AND ILLINOIS.

AT THE LINCOLN DAY BANQUET, SPRINGFIELD, ILLINOIS, FEBRUARY 12, 1915.

Mr. Toastmaster, Ladies and Gentlemen:

The Lincoln Centennial Association has but one mission and object—to perpetuate and do honor to the memory of the greatest of Illinoisans and one of the greatest of Americans, the immortal Lincoln.

With that end in view, each year since its organization it has gathered around its banquet board the greatest of living men, who have deemed it an honor to be invited to discuss the life, the virtues and the accomplishments of the great Emancipator. Presidents, Foreign Ambassadors, Senators, orators, poets and divines have, around this board and in this hall, honored the association and themselves by paying tribute to the man whose name and fame are honored and beloved in every nation and in every clime on the civilized earth.

With the same object in view, we are again gathered tonight. We Illinoisans are proud of the history and progress of this great State.

We are proud that it was on the soil of Illinois that the gentle Pere Marquette made most of his important discoveries and planted the cross of Christianity in 1673, his mission being one for the salvation of souls and not the subjugation of the bodies of men.

We are proud of the achievements which LaSalle and Joliet, Tonti and Hennepin accomplished on Illinois soil.

We are proud of the fact that the hardy pioneers who dwelt in the wilderness around Kaskaskia in what is now the State of Illinois, anticipated, in 1771, the demands of the colonists in Massachusetts, New York, Virginia and the rest of the 13 colonies when they repudiated Lord Dartsmouth's "Sketch of Government for Illinois," as "oppressive and absurd," and declared, "should a government so evidently tyrannical be established, it could be of no duration. There would exist the necessity of its being abolished." This declaration of independence antedates that of 1776 in Philadelphia by five years.

We are proud of the fact that on Illinois soil took place, on July 4, 1778, the struggle resulting in the capture from the Eng-

lish by George Rogers Clark of the fort of Kaskaskia, which wrested forever from the British crown all of the territory west of Pennsylvania lying between the Ohio and Mississippi Rivers.

We are proud of the fact that it was on the soil of Illinois that its two intellectual giants argued out before the people sitting as a jury the greatest moral issue that this country has ever faced—the issue as to whether this country could long endure as a republic with human slavery legally enforced in one part of it, and legally prohibited in another.

We are proud of the fact that that great issue, as the result of that great debate, was finally settled right in the awful arbitrament of war under the leadership of the great commander furnished by Illinois in the Nation's crisis, backed by the valor of 256,000 sons of Illinois.

We are proud of the place that Illinois has taken within the first century of its existence as a state among the states of the Union.

We are proud today that the comparatively young State of Illinois has distanced all of her sisters, excepting two, in population, wealth, manufacture and political importance, that she stands first in agricultural wealth, first in the fertility of her soil and first in railway development, and when we have opened up a waterway over the sixty miles of rock between Joliet and LaSalle and thus given to the people of the Mississippi valley a continuous commercial waterway from Buffalo, New York, and Duluth, Minnesota, to the Gulf of Mexico, we will be proud to boast of Illinois as the premier state of the Union in commercial importance.

But above and beyond all, the State of Illinois is proud of the fact that she gave to the Nation and to the world Abraham Lincoln, the great Emancipator.

Four men who have reached the Presidency of this great Republic stand out among the fellow presidents as Titanic figures in American history—Washington, the ideal patriot; Jefferson, the ideal statesman; Jackson, the ideal citizen-soldier; and Lincoln, the ideal humanitarian.

To honor the last but not least of these we are gathered here tonight. It does not rest with me in my feeble words to do this appropriately. Other men better qualified will follow me to whom will fall that pleasing and important task.

BIENNIAL MESSAGE TO THE FORTY-NINTH ASSEMBLY.

To the Forty-ninth General Assembly, February 17, 1915.

To the Members of the Illinois General Assembly:

In compliance with the constitutional provision, requiring the Governor, at the commencement of each session, to give to the General Assembly information, by message, of the condition of the State and to recommend such measures as he may deem expedient, I submit the following matters for your consideration:

WATERWAYS.

For many years past there has been in this State an emphatic demand for a waterway between Chicago and the Gulf of Mexico. The practicability of such a waterway was noted by Pere Marquette when he first discovered the portage between the Chicago River and the DesPlaines River centuries ago. Its practicability was further noted by the early pioneers of this State, and the boundary lines of the State were fixed upon its admission to the Union of States so as to provide for this waterway.

The Congress of the United States deeded lands of immense value to the State of Illinois for the purpose of creating this waterway. In the early history of the State, a cut was made and a canal constructed, connecting the south branch of the Chicago River with the Illinois River, which was for many years successfully used in commerce. As the years rolled by, however, it became apparent that the canal then constructed was totally inadequate to meet the demands of advanced, modern transportation. The age of steam and gasoline has rendered obsolete the boats, locks and waterways of the early part of the nineteenth century, and the Illinois and Michigan canal has rapidly fallen into disuse. As the result, in recent years, the demand for an adequate waterway between the Great Lakes and the Mississippi River has become insistent.

On November 3, 1908, the people of the State by popular vote amended the Constitution so as to permit the issuance of not to exceed $20,000,000 worth of bonds to be used in the construction of an adequate waterway, and in the erection, equipment

and maintenance of power plants, locks, bridges, dams and appliances.

Divers plans for the development of a waterway between Lockport and Utica have been formulated and discussed before the public, but the different Legislatures of the State have never succeeded as yet in formulating a law for that purpose, and placing it upon the statute books.

In my judgment, the time has arrived for prompt action. The Panama canal has been opened to the commerce of the world. As the results thereof, the cost of transportation between the eastern and the western seaboard has fallen much below the rates heretofore charged by the railroads. As a result, freight traffic is now being attracted from as far east as the states of Ohio and Indiana to the eastern seaboard by railroad and thence by waterway transportation to the western coast of the United States. Where such competition exists, railroad rates will probably be lowered, and where no competition exists, railroad rates will probably remain as they now are.

If an adequate waterway were opened between Lake Michigan and the Gulf of Mexico, an immense commerce would, in my judgment, develop between points on the Illinois River and points at or near the Great Lakes through the Sanitary District Canal from Chicago to Lockport and thence through a waterway from Lockport to the Mississippi River. At the present time, a navigable depth of over seven feet exists normally for a distance of 262 miles out of a total of 327 miles between Chicago and the Mississippi River. Sixty-five miles between LaSalle on the Illinois River and the Chicago Drainage Canal at Lockport is now limited to a draft of four and one-half feet through the old fossilized Illinois and Michigan Canal, with its inadequate locks constructed three-quarters of a century ago. A channel of eight feet in depth now maintained in the Mississippi River from Cairo to St. Louis with no early prospect of being further deepened. If an eight-foot depth could be provided for an adequate waterway in the Illinois River and a portion of the Illinois and Michigan Canal between the cities of Utica and Lockport, we would have a waterway of eight feet in depth from Chicago to the Gulf of Mexico.

Such being the situation, I invited, last summer, the eminent engineer, Lyman E. Cooley, and E. J. Kelly, Assistant Chief Engineer of the Sanitary District of Chicago, Walter A. Shaw, engineer member of the Illinois Public Utilities Commission, and LeRoy K. Sherman, engineer member of the Illinois Rivers and Lakes Commission, to accompany me down the Illinois and Michigan Canal from Joliet to LaSalle. On that trip of inspection,

these gentlemen and myself examined the physical condition of the Illinois and Michigan Canal and the Illinois and DesPlaines Rivers between Joliet and LaSalle, and as the result of that inspection and after a careful inquiry into the practicability of at least an eight-foot channel between Joliet and Utica, these gentlemen have reported, in writing, several schemes or projects for the construction of an eight-foot waterway between Utica and Joliet. One of these schemes or projects, known as project No. 3, they have unanimously endorsed as being entirely feasible and capable of construction within two years at a cost of $3,075,000.

It contemplates the use of the Illinois River for approximately 45 miles and the development and enlargement of about 20 miles of the Illinois and Michigan Canal. A copy of this report which has been endorsed by the Rivers and Lakes Commission of this State will accompany this message, and I herewith recommend it to you for careful examination.

I am convinced that the scheme is entirely feasible that, considering the immense advantages to be obtained therefrom, it is exceedingly economical, and that it possesses the advantage of not, in any way foreclosing or preventing the creating of a deeper waterway hereafter, if a deeper waterway can be secured in the Mississippi River. If the science of engineering in the future will be able to bring about a greater depth in the Mississippi River than the eight feet which now exists, such depth can also be secured in the proposed channel without in any way impairing the efficiency of the work done under project No. 3. In other words, the construction of this channel in the Illinois River and the Illinois and Michigan Canal between Utica and Joliet will open up within two years, if constructed, a splendid waterway of eight feet in depth from Chicago to the Gulf of Mexico, at a cost of $3,075,000 or thereabout, and give to the people of this State, as well as those tributary to the Great Lakes, a commerce to New Orleans and the Panama Canal.

I would further call the attention of the Legislature to the fact that, if this waterway be constructed as outlined in project No. 3, $1,000,000 is available in the treasury of the United States for the dredging and deepening of the Illinois River to an eight-foot depth between Utica and the mouth of the Illinois River where it enters into the Mississippi River. Project No. 3 has been investigated by such influential bodies as the Association of Commerce, of Chicago, Joliet, LaSalle, Peoria, and other cities and towns along the Illinois and Mississippi Rivers, and, so far as I am informed, it has their unanimous approval.

I therefore recommend the passage of a law providing for the construction of a channel, as recommended by these engineers,

and authorizing the issuance of bonds not to exceed in amount the sum of $3,500,000.

REGULATION OF FIRE INSURANCE RATES.

Complaints of excessive rates in fire insurance premiums and of combinations between fire insurance companies to prevent competition in the establishment of reasonable rates in this State have reached me for some time past.

In the spring of 1914 I instructed the Insurance Superintendent, Hon. Rufus M. Potts, to make an investigation into the subject, the result of which investigation he has embodied in a comprehensive report, to which I respectfully request your earnest attention.

In substance, this report declares that there exists a widespread and comprehensive combination among the fire insurance companies doing business in the State, and their annexes and rating organizations and appendages, the effect of which has been to stifle competition and to establish in many lines of insurance unreasonably excessive rates of premiums such rates being in excess of rates established and charged in other states, although the State of Illinois is favorably situated in reference to fire insurance risks.

The report discloses, as the result of investigation into premiums paid and losses sustained, that, for twenty years past, the insured citizens of this State have been paying for insurance premiums approximately twice as much as has been paid to the insured for fire losses. The report also states that the profits earned by the insurance companies upon their capital stock have been enormous, amounting in some cases to over 100 per cent.

The report shows that, owing to the fact that it is impossible to obtain the dividend figures of European companies, the total profit percentage of all companies doing business in the State cannot be calculated. This can be done, however, for companies domiciled in the United States. The average profit percentage of these companies for 1913, exclusive of dividends, as shown by this report, was 32.8 per cent. They paid an average dividend of 12.3 per cent, so that the total annual profit for 1913 of all the American fire insurance companies doing business in Illinois, as stated in the report, was 45.1 per cent of their capital stock, which is enormous and unreasonable.

The fire insurance companies dispute the conclusion of the report in some particulars, but there are sufficient facts set forth in said reports to justify me in reaching the conclusion that the time has come, in the history of the State, for effective control by

the State of the rates charged for fire insurance. Legislation along this line is imperative. I have been in correspondence and in conference with representatives of the fire insurance interests of the State in the endeavor to agree upon the outlines of a law under which the State shall be empowered to make a thorough and exhaustive examination into the rates charged for fire insurance, and to enable the State further, if it is found that such rates are unreasonable and excessive, to fix and proclaim just and reasonable rates, which shall be charged in the future by all the fire insurance companies doing business in this State.

I am pleased to announce that gentlemen, representing very important and influential fire insurance interests of the State, have declared their willingness to cooperate with the Insurance Superintendent and his legal staff in and about drafting a bill, under which the right of the State to make such investigations and to fix such rates is recognized, and that they are willing to have such provisions incorporated in a law to be enacted by this Legislature. The Insurance Superintendent and his counsel and the counsel for these insurance interests have been engaged for some time past in endeavoring to agree upon the details of such a bill. If such an agreement is reached, such a bill will be presented to this Legislature for its action. Should they not agree upon the details of the bill, one will be presented to the Legislature by the Insurance Superintendent, embodying the fundamental principles of investigation and regulation by the State, hereinbefore referred to, and such other provisions as may be agreed upon between the insurance interests and the Insurance Superintendent, leaving the other details of the bill, which may not be agreed upon, to the careful consideration of this Legislature. Such a law is now in force in the State of Kansas, and has been pronounced valid and constitutional by the Supreme Court of the United States in the case of the German Alliance Insurance Company v. Lewis, decided April 20, 1914.

In that case the court held that "the business of insurance so far affects the public welfare as to invoke and require governmental regulation." * * * "In assimilation of insurance to a tax, the companies have been said to be the mere machinery by which the inevitable losses by fire are distributed, so as to fall as lightly as possible on the public at large, the body of the insured, not the companies, paying the tax;" and again in the same case, the court declares that fire insurance has "become clothed with a public interest, and, therefore, subject to be controlled by the public for the common good."

I earnestly recommend the passage of a bill providing for such investigation and regulation in the interest of the citizens of Illinois.

Insurance Superintendent Potts in his report, after an exhaustive examination into insurance conditions, has made certain recommendations with reference to the codification and amplification of the general insurance laws of this State to which I hereby direct your earnest attention.

AMENDMENT TO THE AMENDING CLAUSE OF THE CONSTITUTION OF 1870.

The Constitution adopted by this State in the year 1870 is in many respects an admirable instrument. Its bill of rights is broad and comprehensive, and its distribution of powers of government is in accord with the fundamental laws of most of the states of the Union.

In the march of events, however, it has been found that some few amendments are advisable. So proud of their work were the framers of this Constitution that they framed the article relating to amendments of the Constitution in such a way as to make amendments to the Constitution most difficult, by declaring that "The General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session, nor the same article oftener than once in four years." This provision is archaic, inelastic, and unduly onerous. It is so restrictive as at times to operate in practice as a prohibition against amendment. This amendment should be amended so as to permit at least three different articles to be amended at the same session.

Because of the difficulty in amending the present Constitution, some sentiment exists in favor of the adoption of a new Constitution. Whether a new Constitution is adopted or not, in my judgment, the amending clause of the present Constitution should be amended. The amendment of the amending clause could be amendment of the present Constitution, the much needed amendments of the present Constitution to be adopted thereafter. A new Constitution cannot be adopted by the people in the ordinary course of such matters within five or six years.

What the new Constitution, when framed may be, and whether the people will approve of it or not, cannot be known. In the meantime we must proceed, before the adoption of a new Constitution, upon the lines of the old Constitution, and that Constitution should be amended, in its amending clause, so as to

permit the people to suggest amendments from time to time to meet the demands of modern progress in legislation.

If a new Constitution be framed and submitted to the people and disapproved, we should have our present Constitution in such shape as to permit it to be more readily amendable than at the present time. If a new Constitution is adopted after the amendment of the present Constitution, the much needed amendment heretofore suggested would not operate in any way to interfere with a new Constitution, as the present Constitution; and all amendments thereto would be displaced by the new Constitution.

Whatever action be taken in reference to a new Constitution, I, therefore, recommend the amendment of the amending clause of the present Constitution as hereinbefore suggested.

In the past the struggle between the advocates of the initiative and referendum and the advocates of revenue reform for paramount recognition have operated to prevent the adoption of either. With the amending clause amended, as suggested, it will open the way for an early amendment of the Constitution along the lines of revenue reform, the initiative and referendum, and other necessary amendments, all of which could be voted for at the same session and submitted to the people at the same election.

REDISTRICTING OF SENATORIAL AND CONGRESSIONAL DISTRICTS.

SENATORIAL.

The Constitution provides that "The General Assembly shall apportion the State every ten years into 51 senatorial districts, each of which shall elect one Senator and three Representatives.

The last senatorial apportionment was made in the year 1901. The new senatorial apportionment should have been made, pursuant to the Constitution, in 1911. Nearly four years have elapsed since the senatorial apportionment should have been made.

I, therefore, recommend, in compliance with the Constitution, that the Legislature reapportion the senatorial districts of the State.

CONGRESSIONAL.

The last congressional apportionment in this State was made on May 13, 1901. Since that time Illinois has become entitled to two additional Congressmen, who are now elected in the State at large.

A new congressional apportionment should also be made at this session to provide for 27 congressional districts.

COST OF ELECTIONS.

Elections for city, village, township, school districts, counties and State are unnecessarily frequent and too costly. In the city of Chicago alone a single primary election costs $275,000 and a single final election $320,000.

I would respectfully recommend the passage of bills requiring all city, village, township and school elections to be held on the same day, and have only one such election every two years, and that all county, State, congressional and national elections should be held upon the same day every two yars. If the State, county, congressional and national elections are held in the even year, the city, village, township and school elections might be held in the odd year, thus having only one election day each year.

This will considerably reduce both the cost and number of elections and be for the public interest.

I further recommend that elections for all judicial offices be held on a date when no other officials are voted for. The primary election for judges might, however, be held on the same day as a general election, had for other offices.

Legislation should also be enacted cutting down the number of elective offices where possible, thus shortening the ballot and providing for the rotation of names of candidates upon the ballot at all elections for all offices.

I further recommend that, at all primary elections, each candidate be compelled, on filing his application, to pay to the clerk, where such application is filed, a filing and printing fee sufficient to cover the cost of printing, at least one page of printed matter, relating to his candidacy, and that said clerk cause to be printed and paid for out of such fee copies of such page of printed matter to the amount of twice the number of legal voters in the district from which said applicant is a candidate, said copies to be delivered to the applicant, before the nomination, for distribution by him or mailed to all voters by said clerk upon such candidate paying the cost of the postage thereof, and that all candidates be limited in their election expenditures to a reasonable amount over and above the cost of such distribution of such printed matter. Probably twenty per cent of the legal salary, paid to the incumbent of the office should be the maximum of expenditure to be permitted.

The election laws should also be amended so as to provide for a report of a candidate's expenditures within a reasonable time after the election and before he be permitted to assume the duties of his office, with effective penalties for violation of the law.

STATE PUBLIC UTILITIES COMMISSION.

The State Public Utilities Commission closed the first eleven months of its administration on November 30, 1914. During that time, the commission was organized, its work systematized, and the administrative, engineering, accounting, rate, and service departments were built up to such a state of efficiency as the limited time and the means at the disposal of the commission would allow. The present working force of the commission, attorneys, engineers, accountants, statisticians, experts, inspectors, clerks, stenographers, etc., numbers seventy-three persons. The Illinois Public Utilities Law is probably the most comprehensive measure of its kind ever enacted, and the duties and powers of the Illinois Commission are probably more numerous and greater than those of any similar commission. The multiplicity, variety, and importance of matters coming before it during this period of organization have been so great as to tax to the utmost its ability to investigate, hear, and dispose of the cases.

During the eleven months, there were filed 1,278 formal complaints and petitions, all of which called for investigation and public hearings, and a finding by the commission. In 924 of these cases formal orders were entered. There were also brought to the attention of the commission during this same time about 500 informal complaints, covering almost every conceivable matter about which complaint could be made, some 400 of which have been investigated and disposed of informally by correspondence or conference. In addition to the above, the commission has approved 1,160 leases, made by utility corporations. Orders were issued in sixty-five stock and bond cases, authorizing the issue of $176,917,304 par value, of stocks, bonds, and notes. On December 15, 1914, there were pending, applications for authority to issue securities of the par value of $262,185,258. On December 22 a majority of the pending applications for authority to issue securities had been heard. The amount of fees paid into the State Treasury for authorities granted up to this time was $505,202.78. The total receipts of the commission at this time was $510,173.89. The total amount of appropriation expended to maintain the commission was $118,548.14.

The beneficent effects of the operation of the Utilities Law are already apparent on every hand. Discriminations in rates and service have been eliminated, and it may now be said that strict rate uniformity prevails among all the utilities of the State. The question of rates has probably been most often brought to the attention of the commission; for while rates and service are fundamentally joined in almost every case, the majority of

complaints coming to the commission thus far have found their expression in terms of rates. In a number of smaller communities settlements have resulted in substantial reductions in rates. In some of the more important cases the determination of reasonable rates has necessitated the making of property valuation, which requires much time and labor.

Standards of service to govern gas and electric utilities have been established by the commission, and service inspectors are now at work inspecting the quality of service furnished by the various utilities of the State.

One of the main objects, sought by the Legislature, in the establishment of the Utilities Commission was to secure to the people of the State adequate service at reasonable rates, and the commission in all its acts has ever kept before it this condition, and has sought to accomplish and is accomplishing this great purpose, for which it was created.

While the operations of the commission have been satisfactory throughout the entire State, including Chicago, and while there seems to be no sentiment, at the present time, in favor of local commissions to regulate intraurban utilities down the State outside of Chicago, there is considerable sentiment in that great city in favor of a local ancillary commission, to take charge of and control the intraurban municipal utilities of that city, and I, therefore, favor the creation of such an ancillary commission for the city of Chicago to take charge of and control the intraurban utilities of that city.

TRESPASSERS UPON RAILROAD RIGHT-OF-WAY.

During the years 1911, 1912 and 1913, 1,497 lives were lost and 1,470 persons were maimed while trespassing upon railroad right of way in the State of Illinois.

The number of trespassers on railroad right-of-way, killed and injured, is increasing year by year. In 1913 alone, 510 trespassers were killed and 521 were injured in this State.

In the interest of the protection of human life and limb rather than protection to railroad interests, I believe that a law should be enacted making trespassing on railroad property a misdemeanor. It is now merely an infraction of civil rights. Such a law would tend to discourage trespassing and result in the saving of life and limb.

LEGISLATIVE REFERENCE BUREAU.

By an act, effective July 1, 1913, the Forty-eighth General Assembly created the Legislative Reference Bureau, of which I became ex officio chairman, and upon which was imposed the duty

of collecting, classifying, and indexing information which may be of value to the Legislature in considering and constructing legislation.

You will find that this work has been diligently prosecuted and there is at your disposal, as a result of the work of eighteen months, a large collection of classified data upon most of the subjects which will come before you.

The methods of this bureau have been modeled after similar bureaus in New York, Pennsylvania, Connecticut, Wisconsin, and other states.

Perhaps the most important duty imposed upon the Legislative Reference Bureau is the preparation of a detailed budget of the appropriations which the officers of the several departments of the State government report are required for their several departments for the next biennium, together with a comparative statement of the funds appropriated by the preceding General Assembly for the same purpose. This task has been carefully and most completely accomplished. A classification of accounts has been prepared after a study of the best public accounting practice and, for the first time in the history of Illinois, the State Legislature will be furnished early in the session with full information concerning the money asked to be appropriated, particularly as to whether the amount sought is an increase or decrease over preceding appropriations, and as to the definite purpose for which the money is to be used. Estimates have been made of the revenue from all sources which may be counted upon in the next two years, so that an intelligent comparison of proposed expenditures with income may be made by every member of the General Assembly.

PRISON REFORM.

Prison reform in Illinois in past years has not kept pace with the progress in the management of our other institutions. In my experience as a judge on the bench, I have been given an insight into the workings of our criminal laws, which has created in me sincere pity for the man who has gone wrong and an earnest desire that the punishment, inflicted by the State, shall not needlessly degrade him and rob him of all ambition, but rather shall assist and lend encouragement to his efforts toward rehabilitation.

To this end I have lent my influence, in the prison administration of the State, to the introduction of more humane methods of dealing with offenders, and the establishment, so far as found practical, of the honor system.

Real progress has been made in all the penal institutions in this direction. In the Illinois State Reformatory, at Pontiac, corporal punishment has been eliminated and a policy of severe restrictions has been replaced by the elimination of the task system of enforced work under penalty and the substitution of the piece work system with rewards for proficiency; the allowance of one hour's recreation each day for all inmates and the development of institution athletic teams, a drill corps, and frequent entertainments. In each of the penitentiaries, recreation periods have been instituted and repressive rules have been changed to extend to inmates privileges which make for greater self-respect and tend to reform rather than degrade. The result of these changes has fully met expectations,

The improvement so far made should be continued and Illinois should do its part toward assisting in the scientific research into the causes of crime which is now engaging the attention of many other states and learned societies. It would be of great value to the prison wardens and to the Board of Pardons to have the advice of trained psychologists as to the mental condition, the trustworthiness, and the possibilities of reform of the inmates, to guide them in extending liberties and in granting paroles. This, not with the idea of extending leniency toward defectives, but rather in order that those who are incapable of living honestly, if set free, may be detained in custody and those who possess the possibilities of successful careers in honest occupations may be given encouragement and another chance.

For these reasons, I recommend to your careful consideration measures, seeking to provide for the prisons the assistance of a psychological laboratory for the study of criminals and the causes of crime, and would suggest that provisions be made for cooperation between such laboratory, if it be established, and the psychopathic laboratory of the State hospital service now maintained at Kankakee.

PUBLIC CHARITIES.

Upon the public charities of the State a greater proportion of our revenue is expended than on any other single object except public education.

In the last two years, the increase in the population of the institutions under the Board of Administration has exceeded the normal rate. For 1913 it was 4 per cent, and for 1914, 4.2 per cent. The appropriations for maintenance for the biennium 1913-1915 were based upon an estimated increase of 3 per cent. In addition there has been an abnormal increase in the cost of food, which is the chief

item of expense in the maintenance of the institutions. Nevertheless, by wise economy and careful management, the institutions have been maintained at the usual high standard and a substantial saving has been made in the maintenance fund.

The Forty-eighth General Assembly appropriated $2,427,304.67 for the continuation of the physical rehabilitation of these institutions and for the construction of the new State Hospital at Alton and a State Epileptic Colony which I urged upon the Legislature in my inaugural address.

The $1,000,000.00 appropriated for these new institutions has been expended or contracted for. After careful investigation, the Board of Administration selected a site for the epileptic colony at Dixon, Illinois, in a beautiful location on the Rock River, and contracts have been let for the construction of nine buildings. At Alton work is progressing upon five buildings. You will be asked to appropriate $500,000, for the completion of each of these new institutions and to provide a fund for the maintenance of patients, as both will be ready for occupancy before long.

Owing to the large amount provided for buildings by the last Assembly, which was more than sixty per cent of the amount which had been expended in the previous eight years, the total request of the Board of Administration for all purposes for the next two years is $397,632 less than two years ago, and this in spite of the maintenance increase made necessary by the abnormal growth in population and provision for two new institutions.

It is with sincere pleasure that I can report conditions in the eighteen charitable institutions to have improved in the last two years in all those particulars which increase the comfort and happiness of the wards of the State.

In economical business management, the Illinois institutions are not surpassed by any private corporation. No private sanitarium in this State can furnish medical attention to the mentally afflicted, of a higher standard than that given to the inmates of the State hospitals. No endowed home or school gives more careful training, supervision, nor more humane treatment than is received by the wards of the State in our schools for delinquents, while the institutions for the deaf and blind, the soldiers' homes, and soldiers' orphans' homes are not surpassed anywhere.

Most important in the improvements effected in these institutions during my administration has been the abolition, in the schools under the Board of Administration, of corporal punishment. The old policy of repression and severity has been replaced by patient, persevering encouragement of the better qualities in inmates and freedom from petty restraint—that humane treatment, in fact, which is advocated by the best informed students of delinquency

as being most effective for the building up of self-control and self-restraint.

In the State hospitals all mechanical restraint of patients, including seclusion, has been abolished. Patience and kindness combined with the best curative treatment known to medical science, have worked wonders in obtaining discipline hitherto thought impossible to maintain without straps, straight-jackets, and close confinement.

The merit system among the employes is being faithfully and conscientiously enforced. The promotional system is in vogue in all branches of the hospital service. The "hospital tramp" is being weeded out. Experience, fidelity, honest and faithful work, humanity, and decency are recognized, encouraged, and rewarded. Standards of living and employment are being elevated with all who serve the State. Wages of employes, particularly those receiving the smallest pay, have been increased in all the institutions. The eight-hour system has been adopted by the Board of Administration in several institutions and will be extended to others.

In the adoption of the eight-hour system for hospital service, Illinois is the pioneer in the United States. Better living quarters are being provided for the employes in the institutions. In return for all these considerations the State demands the highest degree of efficiency and humanity from its employes.

GAME AND FISH CONSERVATION.

Consolidation of the former Fish Commission and Game Department, pursuant to my recommendation, in the bill creating the Game and Fish Conservation Commission, effective July 1, 1913, has given substantial proof of the wisdom of combining independent State agencies which handle work that is closely related.

With an appropriation considerably less than that expended by the former departments, the newly created commission has organized an efficient warden force and conducted a vigorous and effective conservation campaign.

By strict enforcement of the law requiring licenses and the development of a thorough system of accounting for collection of fines and confiscation proceeds, the new department has been made more than self-sustaining, the cost through these contributions falling upon persons directly interested in the results of its work.

The most important conservation work in the care of this department relates to the fishing industry of the State. Our lakes and streams furnish an enormous supply of excellent and cheap food. Since it is available for all who come to take it, free of charge, wise and strict regulation is required to prevent the wholesale destruction by wasteful methods of this common property

The problem of protecting the natural supply, and increasing it through scientific propagation, has been undertaken in an effective manner by the commission. Large quantities of fry and fingerlings have been placed in the waters of the State during the last season and permanent ponds and hatcheries have been provided for the continuation and extension of this work.

I commend to your careful consideration, as of great importance to the public, all measures submitted for the purpose of improving the present methods of conserving this important natural resource.

Preservation of the game, while not so important from the standpoint of food supply, is of great interest to the hunters of this State, who take out more hunting licenses every year than in any other State in the Union. After years of experience with the State game farm in propagating English pheasants in the hope of adding that bird to the game birds of the State, the commission has reached the conclusion that this expensive effort will never succeed, and recommends that the State game farm be abandoned.

During the last two years, on an appropriation of $12,000, only a fraction of what had hitherto been spent, the operations of the farm have been continued and the distribution of birds and eggs throughout the State has been kept up. A careful canvass has been made through the game wardens, and the conclusion is reached that in spite of the large number of pheasants liberated in the past, there has been little or no increase, and no increase can be hoped for because of the unfavorable conditions in this State.

As a substitute for the game farm, it is recommended that in each county reservations be established—tracts of land rented for a nominal sum—on which grain and cover can be provided at a small cost where the native game birds can find food and protection during the winter and the breeding season, free from molestation or destruction by hunters or others. The expense of maintaining such reservations will be but a fraction of the cost of the State game farm, and, in this recommendation of the commission, I concur.

RIVERS AND LAKES COMMISSION.

In the work of conserving the natural resources of the State, the Rivers and Lakes Commission has an important part. Public bodies of water are of vital importance to the people, and it is necessary that the State have an active agency to protect such bodies against encroachment, to prevent the drainage of valuable lakes, the obstruction of river flow, and the pollution of rivers and lakes. The much extended powers, given to the Rivers and Lakes Commission by the amendment to the Rivers and Lakes Act, in force July 1, 1913, have been put to valuable use in the last eighteen

months. The report of that commission details the work accomplished in the prevention of stream pollution and the investigation of complaints of encroachments on public waters of the State. The service of the commission in superintending the construction of State levees at Cairo, Shawneetown, and Mound City, Illinois, for which the Forty-eighth General Assembly appropriated $339,000, merits commendation for businesslike efficiency. The work was undertaken immediately the appropriation became available; it was planned and conducted according to the best engineering practice, and was finished well within the authorized cost and in ample time to withstand the high waters of the spring of 1914.

FOOD INSPECTION.

In the vital matter of protecting the public from the peril of impure and unsanitary food, the State Food Commission has made noticeable progress along the most profitable line of endeavor in this work—the education of the public.

With only eighteen inspectors to cover the entire State, it is obvious that this department can accomplish its purpose only with intelligent cooperation from municipal and county officers and from the general public.

Realizing this, the State Food Commissioner has devoted particular attention to enlisting the assistance of local officers, obtaining the enactment of municipal ordinances for the protection of the food and milk supply of cities, and to a campaign of lectures and newspaper publicity for the purpose of instructing the public on the provisions of the law and methods of insuring its enforcement. Moving picture exhibitions have been used with good results and the volunteer assistance of newspapers throughout the State has been of great value in this campaign.

The report of the State Food Commissioner calls particular attention to the widespread practice of using fraudulent weights and measures in the retail sale of foods. This is a fraud which merits the severest condemnation and the most stringest measures for suppression.

I recommend that a law be passed permitting adequate punishment of persons guilty of this offense and empowering the State Food Inspectors to enforce its provisions. I also recommend the careful consideration of all measures relative to the protection of the public food supply from adulteration and insanitary conditions and the improvement of the present methods of law enforcement.

I am pleased to call your attention to the fact that in this department for the year ending September 30, 1914, that there was a saving of expenditures over the preceding year of over $17,000; while the collections made by the department in the same time were over $10,000 in excess of the preceding year.

NATIONAL GUARD AND NAVAL RESERVE.

During my administration, our State Military and Naval Establishment has undergone changes in organization necessary to conform to the detail of organization found by the Federal Government, to promote the highest efficiency.

Progress has been made not only in the character and amount of military equipment but in the method of caring and accounting for military stores.

Joint camps of instruction, both within and without the State, participated in by our State forces in conjunction with Federal troops and those of other states, have combined to secure greatly increased efficiency.

The inadequate housing, both of our troops and their military equipment, has been for years a serious handicap to proper training, and has been an almost constant source of complaint. There are at the present time authorized and either being planned or in the course of construction, nine armories for the proper housing of troops and equipment.

The funds appropriated for the National Guard and Naval Reserve have been so advantageously expended that were our troops called into service within the State for State purposes, or needed in National defense, the entire military force could be mobilized at the State mobilization camp at Springfield within forty-eight hours, equipped for field service and prepared for active duty.

HIGHWAY IMPROVEMENT.

In accordance with the recommendation made in my inaugural message, the Forty-eighth General Assembly passed a State Aid Road and Bridge Act, which went into effect July 1, 1913, and has now been under trial for eighteen months.

This act changed our entire system of highway construction and maintenance, and the first duty of the commissioners, appointed under it, was to construct a new organization for the State and for every county desiring to operate under the act.

A court test of the constitutionality of the act caused much delay, but so vigorously and successfully has the work been carried on that one hundred county superintendents of highways, whose qualifications have been proved in competitive examinations, are now in office. State aid routes in ninety-four counties have been agreed upon between the county boards and the State commission. A complete uniform system of auditing and accounting for all road and bridge moneys has been installed, allotments from the State aid road and bridge fund have been made to all counties that have qualified therefor, and contracts have been awarded on seventy-four sections of roads having a total length of 91.27 miles.

In many parts of the State work has been completed on sections of State aid roads and the public has had an opportunity to inspect the type of road which the Highway Commission has determined to require. This is a finished driveway thirty feet wide, divided into a pavement proper of brick or concrete from ten to eighteen feet wide, with earth or macadam shoulders on each side to make up the required width. The contracts which have been let for State aid roads are distributed among forty-eight counties.

A complete engineering organization under the State Highway Engineer has been constructed, through which the State Highway Commission is enabled to provide plans for all road and bridge work and supervise all construction with the assistance of the county superintendents.

All the precautions which engineering science and modern business methods afford have been taken to insure that full value is given to the State for all money expended in highway construction and that the specifications of contracts are met in every detail.

I recommend that careful consideration be given to the provision of funds for the completion, in a reasonable time, of the construction of the fifteen thousand miles of State aid roads, consistent with the annual tax paying ability of the taxpayers of the State.

CIVIL SERVICE.

At the beginning of my administration, two years ago, the State Civil Service law, so far as it applied to the more important positions in the service, was eighteen months old. Since by its provisions all the appointees holding office at the time it became effective were covered without examination and comparatively few changes in the personnel had been made, there was widespread unfamiliarity with the provisions of the law. The strain of enforcing this law, after the first complete change in party domination in sixteen years, has not been slight; nevertheless, with determined, honest and fair enforcement, there has come a vigorous and gratifying growth in the Civil Service work of the State. In 1911, 4,685 applications for examination were received; in 1912, 6,671; in 1913, 8,839; in 1914, estimate to December 1, 11,307. In the past year, the commission has held 144 examinations and, it was estimated, had examined 7,500 applicants up to December 1, this being approximately one hundred per cent increase over the number examined in 1912. There has been a marked increase in the number of positions filled by certification from the eligible lists and of all the persons occupying positions in the classified service of the State, it is estimated there are now less than seven hundred who have not proved their qualifications by passing examinations.

It is with sincere gratification I report to you that the merit system in all State departments is now established upon a firm basis and I respectfully urge that your honorable body give careful consideration to all measures relative to Civil Service, its further extension to some positions, not now classified, which should be included within its scope, and other amendments which might make for the better operation or enforcement of the law. There are some few classes of employment, where professional skill and implicit confidence is demanded, which might safely be excluded from the Civil Service list.

INDUSTRIAL BOARD.

Of all the progressive laws placed upon the statute books by the Forty-eighth General Assembly, perhaps none is more important to the workingmen of the State than that creating the Industrial Board for the administration of the Workingmen's Compensation Act.

Upon this board rests the duty of arbitrating, in speedy hearing, disputes over compensation for injury and death incurred in industrial accidents. Successful performance of this duty will eliminate the great hardships, formerly imposed by the law's delay, upon those disabled in the performance of their duty, and upon the helpless dependents of men who have fallen in the struggle for existence.

The extent of this work is proved by the fact that the facilities of the board have been overtaxed from the beginning. There have been presented to and decided by the board, by committees of arbitration appointed by it, 584 cases, involving the payment of $155,101.11. Lump sum orders have been entered in 367 cases, involving the payment of $335,732.91. There are pending before the board 240 arbitration matters and 28 lump sum petitions.

It is evident that the volume of work to be handled will increase rapidly, and if the Industrial Board is to avoid a congestion already existing, which will soon result in reproducing in its affairs the court delays which it is intended to avoid, increased facilities must be provided for its work.

I, therefore, recommend that careful consideration be given to the report of this board and to its request for a suitable appropriation with which to handle its most important work.

I am informed by the president of this board that its appropriations for rent are at present exhausted and that, unless an emergency appropriation for rents, and additional help is given, it will result in a suspension, in whole or in part, of the duties of the board.

I, therefore, recommend an emergency appropriation sufficient to enable the board to carry on its duties until the general appropriation bill is passed.

SEMIMONTHLY PAYMENT OF STATE EMPLOYES.

The last Legislature, upon my recommendation, passed a law compelling corporations and employers to pay their employes semimonthly. I see no reason why the State should not follow the same practice. I am informed that the State can provide for such semimonthly payment of employes by the employment in the Auditor's office and in the office of the Civil Service Commission of extra clerks at a cost of not to exceed $5,000 annually.

I recommend that provisions be made for such semimonthly payment of State employes.

EFFICIENCY AND ECONOMY.

Following the recommendation in my inaugural message the Forty-eighth General Assembly appointed a committee composed of four members of each house, to examine into different departments of the State government for the purpose of ascertaining whether or not, by cooperation of the different departments and commissions of the State and the coordination of their functions, greater efficiency and economy in administration could not be attained.

This committee has been industriously engaged for the last eighteen months in making such investigation, and will make a report to the Legislature embodying the result of its labors, which report, I earnestly commend to you for your careful consideration.

While not agreeing with all of the recommendations of the committee in their entirety, it is in the main a very valuable and well-considered report of conditions prevalent at the present time, with very wise recommendations of changes.

I particularly call your attention to the very valuable recommendations in reference to the consolidation of the penal and correctional institutions under one commission; the consolidation of the different mining boards into one department; the consolidation of the various agricultural and live stock boards into one department; the consolidation of the different normal schools under one board of trustees; the consolidation of the tax levying boards and the revenue collecting departments of the State into a department of finance under the control of a State Finance Commission, consisting of a State Comptroller, a State Tax Commissioner and a State Revenue Commissioner, the Auditor of Public Accounts and the State Treasurer being ex officio members, and involving the abolition of the State Board of Equalization and the creation of a State Tax Commission in lieu thereof.

CONVICT LABOR.

The last Legislature, upon my recommendation, enacted a law permitting the use of convicts upon road building in the State, limiting the employment of such convicts, however, to those whose terms of unexpired imprisonment did not exceed five years.

Liberal use of the convicts has been made for that purpose, particularly at the Joliet penitentiary, with beneficial results both to the convicts and to the State. A very small percentage of the convicts have violated their pledge of honor, and the work done has been valuable and efficient.

I would respectfully recommend the amendment of the law, so as to permit convicts whose unexpired terms exceed the five-year limitation to be used for road building. The limitation, in my judgment, can be safely extended to ten or even fifteen years instead of five.

In order to bring about a more extensive use of the convicts for this laudable purpose, it might be wise to amend the Good Roads Act, so as to require the counties, who are recipients of State aid to avail themselves of convict labor, charging therefor the actual cost of feeding the men while so engaged.

During the last fifteen months, fifty-one convicts were employed at road building, from September 3, 1913, to February 10, 1914, at Camp Hope, near Dixon, Illinois, doing very effective road work. Not one attempted to escape.

Seventy-two convicts were employed at Starved Rock from April 27, 1914, to August 20, 1914, and afterwards at Mokena, Will County, Illinois, until December 23, two of whom escaped, and have not been recaptured.

Sixty-five men were employed at Beecher, Illinois, from June 15, 1914, to November 24, 1914, none of whom attempted to escape.

One hundred and five convicts were utilized at the Joliet honor farm from February 27, 1914, until recently. Twenty-four have had their sentences commuted; nine returned to the prison; two paroled, and nine transferred to road camps, leaving sixty-one still on the farm operating same.

In view of the small percentage of escapes, and the general observance of their pledges by the convicts, the warden of the Joliet penitentiary has recommended that the convict labor act be amended so as to permit the use of convict labor upon the public roads, by removing the clause specifying that a man must have less than five years to serve before he is eligible for road work.

CHICAGO PARK COMMISSIONS CONSOLIDATION.

In my inaugural address to the General Assembly, I recommended the consolidation of the Park Commissions of the city of Chicago.

At present there are three separate commissions: the Board of South Park Commissioners, the Board of West Park Commissioners, and the Board of Lincoln Park Commissioners.

All of these quasi-municipal bodies are conducted as wholly separate institutions, with different offices, different executives, and under different managements.

These park boards should be consolidated. At your last session, a bill was passed consolidating the park boards, and I was constrained to veto same on being advised by the Attorney General that the bill was unconstitutional.

I again recommend the consolidation of the different park boards of the city of Chicago and I trust constitutional legislation to that end will be enacted at the coming session.

THE STATE BOARD OF LIVE STOCK COMMISSIONERS.

FOOT-AND-MOUTH DISEASE IN ILLINOIS.

Since November 1, 1914, when the first case of foot-and-mouth disease was discovered in Illinois, live stock producers within the State have necessarily been subjected to great inconvenience and economic losses incidental to the establishment and the enforcement of quarantine regulations to prevent one of the most highly contagious diseases known from infecting every farm within the State.

During this time the services of two hundred veterinarians constituting the cooperating forces of State and Federal Governments have been constantly engaged. An additional force of over five hundred laborers under competent supervision has also been engaged in cleaning and disinfecting infected premises after the slaughter of affected herds. In doing this work the State and Federal Governments have been acting in complete harmony and cooperation.

In waging this fight against the unrestricted spread of the contagion of foot-and-mouth disease, much opposition and failure to promptly report infection has been encountered, and to this fact can be charged at least fifty per cent more outbreaks than would have otherwise occurred. The culmination of the opposition against effective work in completely eradicating the disease previous to this date was reached when the State Veterinarian was served with threatening notices by the owners of herds infected and their lawyers, and finally with an injunction against the further slaughter of affected herds, thus preventing the best known method of success-

fully eradicating the disease from being utilized to protect the live stock interests in this and other States. Unless this injunction is soon dissolved all of the work so far done will be of little or no avail and the live stock interests will be confronted by rigid Federal quarantine of this State for years to come.

Up to this time 591 herds consisting of 18,348 cattle, 26,613 hogs and 903 sheep have been slaughtered, the total appraised valuation of which is $1,494,528.67. Of the 591 infected premises 523 have been thoroughly cleaned and disinfected under official supervision, the remainder being now in course of disinfection or in preparation for disinfection.

In view of the widespread extent of this very contagious disease, involving such serious consequences to the live stock owners of the State, and the large expense entailed upon the State of Illinois in the effort to furnish assistance to the Federal Government in eradicating the disease, and in view of the great losses entailed upon the owners of the cattle infected and destroyed, I recommend the early attention of the Legislature to the question of making an appropriation sufficient to cover the unusual expenses entailed upon the State of Illinois in the effort to suppress this disease, and that it should further take official action in the way of making appropriations to reimburse in some way the owners of the cattle killed.

In my opinion, because of the fact that this disease has already infected eighteen states of the United States, the expense and responsibility of handling this nation-wide calamity ought to fall upon the Federal Government. No one or more states can effectively suppress this contagion throughout the United States. Arbitrary state lines are not effective in preventing the spread of the disease. It is as though war were declared upon this country by a foreign foe. The National Government is charged with the duty of defending the country from foreign invasion.

The foot-and-mouth disease has declared war not upon the State of Illinois, but upon the live stock interests of the United States, and the consumers of the Nation dependent thereon, and, I believe, the Federal Government ought to shoulder the responsibility of this nation-wide calamity, and compensate those that are entitled thereto, but in the meantime, until action is taken by the Federal Government, some action should be taken by the State of Illinois to relieve its own citizens, and thereafter the State should demand reimbursement from the Federal Government for expenses entailed thereby.

THE STATE CHARITIES COMMISSION.

The State Charities Commission, whose duties are those of inspection and recommendation, suggests and recommends:

First. That the Alton State Hospital and the Dixon State School and Colony, the two institutions now in course of construction, be completed at the very earliest date.

Second. The establishment of a State home or school for adult feeble-minded women and the enactment of a law providing for legal commitment of the feeble-minded of all ages and for discharge of such defectives from institutions designed for their care only upon order of the court. Such law should give courts discretion to commit a feeble-minded person to a private institution, as insane are often committed to private hospitals, when the reasons for such commitment warrant it.

Third. Attention is called to the almost indescribable condition of the jails, lockups, calabooses and workhouses of this State. Legislation is urged which will vest in State authority, preferably the Governor, the power to close a jail or other local place of detention or an almshouse which does not comply with the law and conform to the standards which the law prescribes.

Fourth. The creation of a State Housing Commission to study the housing situation in Illinois and to report back to the next General Assembly recommendations for a comprehensive statute covering this highly important subject.

Fifth. Endorsement of the recommendation of the Efficiency and Economy Commission that the State Charities Commission be empowered to inspect and supervise the three State penal institutions of Illinois, in the same manner and for the same purposes, as it now inspects and supervises the State charitable institutions.

INSPECTION OF PRIVATE EMPLOYMENT AGENCIES.

New life has been injected into the supervision and inspection of private employment agencies during the fiscal year 1914. Three hundred sixty-seven licenses were issued to private agencies, an increase of thirty-eight over 1913.

The amount of revenue from licenses was $17,750, an increase of $1,775. During the year, $6,785 were refunded by agents to complainants, a gain of $4,832. Inspectors made 1,973 reports on general conditions of agencies, an increase of 557. One thousand seven hundred and sixty-seven complaints were investigated, as against 432 in 1913.

The department has discovered that it is a practice among "straw bosses" on railroads and factory foremen to charge a fee to men for the privilege of holding their jobs. This practice is probably an outgrowth of the scarcity of work. It is being dealt with vigorously; several convictions have been had in Chicago, one in East St. Louis, four in Granite City, where four cases are

pending in the courts. The department reports the necessity of drastic methods to regulate the booking agents who are sending young girls as entertainers to saloons, cafes, etc.

THE PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Illinois will be represented at this great exposition by a display of its industries and a State building where its people may gather. The last General Assembly made an appropriation of $300,000 with which to erect a building and to bear the expenses of the commission. At the time this message is written, the building is practically complete.

It is 96 feet deep and has a frontage of 136 feet, with principal entrances on its north and south sides. The contract price was $89,000, exclusive of furnishings, decorations, and lighting fixtures.

The plans were drawn by State Architect, J. B. Dibelka, and the contract was let to Lange & Bergstrom, of San Francisco, the lowest bidder.

The friezes on the north and south fronts are embellished with ornamental sculpture, designed after prize competition by young Illinois sculptors, their work being supervised by Lorado Taft.

The building contains twenty-five rooms.

A room is set apart as a memorial to Lincoln. There is a ballroom, where dances and other entertainments may be held, a recital hall for musical entertainments, a motion picture theater, reading, writing, and lounging rooms.

Among the features of the entertainment program is a large pipe organ which has been donated to the State on condition that it defray the cost of packing and shipping.

In the moving picture theater, the State's manufacturers and industries, its parks and buildings, its public institutions, agricultural, live stock, and dairying resources will be displayed daily.

The commission has divided itself into fifteen standing committees, each having in charge a certain department of exhibits.

Special attention is to be given to the agricultural, live stock, and dairying interests.

The commission has made a strong effort to have every manufacturing and commercial industry of the State represented by an exhibit, and as a result every exhibition hall will house some substantial evidence of the State's commercial and industrial activities and supremacy.

Illinois Day has been set for July 24 and Chicago Day for October 9.

Aside from the expenditures on the erection of the building, the total expenses of the commission to date have been only $3,944.

STATE BOARD OF HEALTH.

The State Board of Health, during the biennial period, has been exceedingly alert to the demands upon it. During the two years, 73,786 packages of diphtheria antitoxin have been distributed by the board at a total cost of $57,270. This antitoxin has been employed in 23,100 cases of diphtheria, and the mortality throughout the State has decreased to 7 per cent as compared with 40 per cent in the pre-antitoxin days.

In 1914 the board distributed, without charge, vaccine against typhoid fever, and 6,000 packages of this agent have already been used. During 1913-1914, one hundred and thirteen indigent persons were treated for rabies, under the direction of the board, at a cost to the State of $6,161. Recently the board has begun the distribution of a solution of nitrate of silver for use in the prevention of blindness, occasioned by childbirth infection of the eyes.

Illinois has never provided for the free distribution of smallpox vaccines. During the last year 3,650 cases were reported in the State. Four thousand cases of typhoid fever were reported during the year, due to the ever increasing pollution of water supplies. During the two years the board's laboratory has examined 1,185 specimens of blood for the early diagnosis of this disease.

A sanitary survey of summer resorts was made in 1914. The board caused the inspection in 1913 of 1,900 dairies, and in 1911 of 3,600. During the last year these inspections were confined largely to the Chicago district, to prevent the milk rejected by Chicago being dumped into other Illinois communities.

Nine hundred special investigations were made in the two years on account of insanitary conditions and the unusual prevalence of communicable diseases. The laboratory of the board has examined 9,000 specimens for the scientific diagnosis of communicable diseases, of which 4,804 were for tuberculosis, 1,741 for diphtheria, 2,118 for typhoid fever.

At the present time, the laboratory is making Wassermann tests for indigent persons, and within a short period of time expects to open branch laboratories in the southern and northern parts of the State for the early diagnosis of diphtheria.

An effort has been made to induce municipalities, operating without health ordinances, to adopt them, and in many instances the ordinances passed have been those recommended by the board.

During the past two years, the board has examined 1,153 physicians, 201 midwives, 260 other practitioners, 378 embalmers. It reports that during this time the standards of medical education have been distinctly raised, the period of instruction being lengthened from four to five years.

DEPARTMENT OF DEPORTATION.

This department makes its first annual report. One hundred and nine persons were removed from our State institutions to other states and governments. Thirty deportable aliens are awaiting deportation. During the year, 1,509 patients committed to State hospitals were investigated and found to be legal residents of the State. On account of the department's close record of deportable aliens and nonresident insane persons, brought to the Court of Cook County for examination as to their sanity, fifty-five aliens and thrity-seven nonresidents were either dismissed or paroled to friends, because of the latter's knowledge of its existence and activity.

It is reported that during the year only seven insane persons were returned to Illinois from neighboring states through this department.

The department estimates that the total gross savings to the State through the deportation of these 109 persons was $156,960.

BUREAU OF LABOR STATISTICS.

The Bureau of Labor Statistics has just completed its report of industrial accidents for the year ending December 31, 1913. Arrangements have been made with the Industrial Board to compile the reports of accidents, covered by the present and revised compensation law for the first year of its existence, which embraces about 15,000 reports.

The 1914 biennial report on child labor is almost complete. It covers the investigation of child labor in cities of 50,000 or more and deals with the apparent physical and mental status of children, the condition of employment, the income of the child and of the parents, the extent of education, etc.

The bureau recommends the consolidation of the free employment offices in Chicago into one bureau, with separate departments for skilled labor, unskilled labor, clerical positions, and domestic service.

BOARD OF PHARMACY.

The State Board of Pharmacy was created to protect the innocent public from unscrupulous dealers in drugs, medicines, and poisons.

During the year the board has held eight examinations of applicants for registration as pharmacists and assistant pharmacists. Six hundred and fifty-five applicants for the first, and four

hundred and forty-two for the second grade have been personally examined, the greatest number in one year since its organization.

The board says that, in no year since its organization, has there been such close inspection of drug stores. Sixty-three offenders in the State, outside of Chicago, have been prosecuted and fines amounting to $2,530 turned into the State treasury. Seventy cases have been instituted in Chicago, and in practically all of them judgments have been obtained.

From January 1, 1914, to November 18, 1914, fees and fines collected by the board, amounted to $21,200, an increase of more than ten per cent over any like period of time.

STATE FACTORY INSPECTOR.

The Chief Factory Inspector has made a notable record during the last year. A total of 60,198 inspections were made, compared with 40,103 of the year before. Under the child labor law, 32,981 inspections were made, against 26,495 during the preceding year. In the enforcement of the law regulating the hours of employment of women, 17,969 inspections were made as against 8,079 during the preceding year; under the "health, safety and comfort" law, 5,785 inspections contrast with 3,845; 917 inspections were made under the "structural iron" law, as against 590 the year before. The "metal polishers" law required 1,362 inspections, against 701; the "ice cream and butterine" law required 485 inspections and 260 licenses, against 205 inspections and 165 licenses.

Under the "occupational disease" law, 721 inspections were made, against 187. A total of 252 firms are now reporting monthly under the provision of the "occupational disease" law, as against 166 firms in the preceding year.

During the past year, 795 cases were brought before the courts, 69 of which were discharged and 726 convicted; fines and costs amounted to $10,679. This record is contrasted with 434 prosecutions and 396 convictions, with fines and costs amounting to $6,240 in 1913.

GRAIN INSPECTION DEPARTMENT.

Due to an unjustifiable reduction of fees for the inspection of grain from 50 cents to 35 cents per car, made by the Railway and Warehouse Commission in December, 1912, earnings of this department, in the Chicago district, during the last fiscal year were about $40,000 less than during the preceding year, with result that the disbursements exceeded the receipts by about $46,000.

The Public Utilities Commission, on viewing the situation, has increased the fees to 50 cents per car for "in" inspection and 50 cents per 1,000 bushel for "out" inspection.

Under these new fees, receipts of the department for the quarter ending September 30, 1914, exceeded disbursements by nearly $20,000, so that it is expected receipts hereafter will meet the expenses.

That the department is being operated in an efficient manner is being demonstrated by the almost entire absence of complaints either from shippers or receivers, this obviously being the most accurate barometer of the high standard of inspection attained by the department.

The chief grain inspector recommends that the grading of all grain in the State shall be by duly classified inspectors. The present conditions whereby any locality may operate, independent of the State, does not, in his opinion, tend to give all shippers of grain that wholly impartial grading which they should have.

COMMITTEE TO INVESTIGATE VOLUNTARY CHARITABLE SOCIETIES SOLICITING CHARITABLE CONTRIBUTIONS AND CHILD HOME-FINDING ORGANIZATIONS.

The Forty-eighth General Assembly, by House Joint Resolution No. 36, created a joint committee of five Representatives and five Senators to investigate into the methods and actions of certain charitable institutions and organizations licensed by the State, and all societies and organizations licensed by the State to handle children under the juvenile law, and to investigate the accounts, receipts and expenditures of said institutions and organizations for the purpose of determining where all such moneys go, and whether or not they go to such institutions, etc., etc.

Said committee has a report ready to present to the Forty-ninth General Assembly. In this report they state that they have not completed their work of investigation; that they have in the course of their investigations unearthed a very scandalous state of affairs in relation to the disposal of children in this State; that they have discovered cases in which children have been bought and sold as merchandise; that, with the little time and money at their disposal, they have been unable to make a thorough investigation of all the maternity hospitals and other institutions of like character, and request that their existence be continued to enable them to complete their investigation.

I, therefore, recommend that the committee appointed by the Forty-eighth General Assembly be continued for further investigation under the same powers heretofore given them, and that a reasonable appropriation be made to them to carry on their work.

STATE FINANCES.

In relation to the finances of the State, they are in a most excellent condition, the cash balance on hand in the State treasury on January 1, 1915, being $10,310,015.95.

For full information and figures concerning said State finances, I refer you to the reports of the Auditor of Public Accounts and State Treasurer.

The Constitution requires the Governor at the commencement of each regular session to present estimates of the amount of money required to be raised by taxation for all purposes.

In this connection, I would direct your attention to the budget which will be presented to you by the Legislative Reference Bureau, which contains estimates by the various department heads as to their needs for the coming two years. I earnestly request your cooperation in pruning and cutting down the same, where possible, to the actual needs and necessities of efficient administration.

EXECUTIVE EXPENDITURES.

For a statement of expenditures, made by me for this department from funds subject to my order, your attention is directed to the biennial report of the Auditor of Public Accounts. Vouchers for all such expenditures have been filed in the Auditor's office.

E. F. DUNNE, *Governor.*

THE CORRUPT LOBBYIST.

MESSAGE TO FORTY-NINTH GENERAL ASSEMBLY, MARCH 2, 1915.

Gentlemen of the Forty-ninth General Assembly:

One great embarrassment attendant upon the honest effort of a State Legislature to give to the people remedial legislation has been the insidious influence of the corrupt lobbyist.

Always the servile hireling of the concealed master, he sits near the seats of the members and in the committee rooms during the sessions of the committees and endeavors to poison at its source what would otherwise be the honestly expressed will of the people's representatives.

It has been said in the past that Illinois was not free from this scourge.

I have proposed several remedial measures to the present Legislature and many other meritorious measures will be considered during the session. We should not sit quietly by and permit bills, designed to give relief to the people, to be changed, modified, rendered impotent or nullified by the machinations of undisclosed persons and influence, if it is in our power to prevent it.

Such persons and influences should come out in the open and show their colors, where all men can see them and know for what they stand. Honest men and measures will announce themselves and be welcome, but the subsidized and professional lobbyist, intent on defeating the will of the people by endeavoring to corrupt the weak and to circumvent the strong, should be driven from the Statehouse.

In my judgment, no one, not a member of this General Assembly, should be admitted to the floor of either House or the committee rooms thereof, the cloak rooms, the corridors or any other part of the Statehouse adjacent to the legislative chambers, for the purpose of advocating, amending or opposing any bill, resolution or measure, pending in either House of the General Assembly, unless such person shall first register his name and address with the Secretary of State and the secretary and clerk of each House of the General Assembly.

Such person, in addition to his name and address, should be required to certify in writing if he is employed by any person, firm or corporation; and if so, the name and address of each employer,

and what compensation he has received or is to receive, if any. He should further be required to state in writing the bills, acts, measures or resolutions he is interested in and what the nature of his interest may be. Such registration and other information should be spread upon the records of the House or Senate and published in the Journal of its proceedings, and no person, not a member of either House of the General Assembly and not so registered, should be permitted to discuss any measure, bill, act or resolution so pending before any committee or with any members of either House. In any resolution covering this matter that is adopted by either House, however, nothing therein contained should apply to any person or persons invited by either House or any committee thereof to appear before such House or any of its committees for the purpose of furnishing information or data desired by either House or any such committees, on any matters pending before either House or any of its committees, provided the name and address of any such person, so invited and appearing before any committee of either House, shall be reported to the clerk (or secretary) of either House by the chairman of such committees and published in the daily Journal of its proceedings.

Neither should any resolution adopted by either House concerning this matter apply to any State officer or department head appearing before the various committees, relative to the work of their departments.

Very respectfully,

E. F. DUNNE, *Governor.*

THE PARDONING OF NEWTON C. DOUGHERTY.

STATEMENT TO THE PUBLIC, MARCH 3, 1915.

Governor Dunne announced today that he will pardon Newton C. Dougherty of Peoria, upon the recommendation of the State Board of Pardons, but that he will not act upon the case until Dougherty actually begins the serving of his sentence in the Joliet penitentiary.

Attorneys Clarence S. Darrow and Joseph Weil, representing Dougherty, and State's Attorney McNemar of Peoria County, representing the State, appeared before the Governor today, presenting arguments for and against the granting of a pardon to Dougherty.

In announcing his decision, Governor Dunne said: "Justices Craig, Cooke, Farmer, Dunn and Carter of the Supreme Court of this State have either written or called upon the Governor or the Board of Pardons in the interest of Dougherty. They state that they represent the view of all of the Justices who participated in the hearing of the case in the Supreme Court. They believe that inasmuch as Dougherty has served seven years in the penitentiary for the offense which he committed while Superintendent of Schools of Peoria County, that the punishment was adequate and sufficient to vindicate the law; that to insist upon further punishment would be an act of injustice by the State. This view is also concurred in by Judge W. C. Worthington, in writing, before whom Dougherty was tried upon the original indictments, and is also the view expressed in writing by Hon. Robert Scholes, ex-State's Attorney of Peoria County, who prosecuted Dougherty upon the original indictments.

"Dougherty was originally sent to the penitentiary upon a plea of guilty to five indictments selected by the State's Attorney out of a total of 140 indictments returned against him. The five indictments to which Dougherty plead guilty carried a total forgery of $750.00.

"If the former Board of Pardons had not taken into consideration the whole subject of Dougherty's wrongdoings it would not have kept him in the penitentiary seven years for forgeries

amounting to only $750.00. Consequently, the investigation which the Board of Pardons has just concluded makes it certain that Dougherty already has been punished for the crime of which he is now convicted, and that to punish him further would be a violation of the agreement made by ex-State's Attorney Scholes and would be an act of injustice on the part of the State."

STATE HOSPITALS TO TREAT DRUG VICTIMS.

STATEMENT TO THE PUBLIC, MARCH 6, 1915.

Governor Dunne issued the following statement today:

I am reliably informed that many persons addicted to the cocaine, morphine and other drug habits, whose supply has been cut off because of the going into effect of the Federal Law prohibiting the sales of such drugs, are financially unable to procure scientific treatment for the cure of such habits, and inasmuch as the State authorities are anxious to give relief in such critical cases, I now advise all such unfortunate persons addicted to the use of such drugs that if they will apply to the county courts of their respective counties and enter into a consent agreement to be treated at once of the State institutions, that the authorities in the different institutions of the State at Kankakee, Elgin, Anna, Watertown, Peoria, Jacksonville and Dunning will receive and give such applicants medical treatment having for its object the reformation of such drug habitues.

The Board of Administration advises me that they will readily receive such applicants and are prepared to take care of them. Even if the applicants are suspected of giving fictitious names, I have advised the Board of Administration not to cross-examine them with the purpose of compelling them to disclose their true names.

ON THE KILLING OF LUMPY JAW CATTLE.

To State Board of Live Stock Commissioners and to the Chicago Live Stock Exchange, March 6, 1915.

Gentlemen:

Some time in December, 1914, a serious controversy arose between the State Board of Live Stock Commissioners of Illinois, and the Chicago Live Stock Exchange, in reference to the methods prevailing in relation to the killing of lumpy jaw and diseased cattle tagged as suspected in the Union Stock Yards, Chicago.

The immediate incidents giving rise to the controversy arose out of the cancellation by the Live Stock Exchange of a contract it had entered into with the Bismarck Packing Company for the slaughter of such cattle and the attempt by the Live Stock Exchange to let a new contract for the killing of such suspected cattle.

In the discussion of this controversy I will refer hereafter to the Board of Live Stock Commissioners as the Commissioners, and to the Live Stock Exchange as the Exchange.

Pursuant to an arrangement entered into many years ago between the Commissioners and the Exchange, the Exchange had been awarding such contracts to different slaughtering companies situated in or near the Union Stock Yards, Chicago. When the controversy between the Commissioners and the Exchange arose much dissatisfaction was expressed by the members of the Commission in relation to the methods followed in the slaughtering of such cattle, and in the making of returns of the proceeds thereof to the Exchange. It was contended by the Commissioners that the owners of these suspected cattle were not receiving the full returns that they were entitled to from the concerns which did the slaughtering under the contracts for the Exchange.

Being exceedingly anxious to harmonize the differences between the Commissioners and the Exchange, I invited both of them to appear in my office for the purpose of discussing their differences and vigorously and insistently urged upon them the propriety of harmonizing their differences and agreeing upon a slaughter house and upon a contract and specifications covering

the slaughtering which would secure to the owners of the slaughtered cattle full and complete returns. I had hoped that as the result of these interviews and my insistent admonition, they would harmonize their differences and agree upon a plan whereby the slaughtering of such cattle would be conducted in a manner satisfactory to both parties to the controversy and the general public.

My efforts to produce a harmonious agreement between the Commissioners and the Exchange failed, and I was compelled to give a great deal of personal attention to the matter which should not have been entailed upon me.

As the principal controversy seemed to be over the slaughtering house that was to conduct the slaughtering, I ordered the Commissioners to advertise for bids, and to notify all slaughtering houses in and near the Union Stock Yards, Chicago, requesting them to bid, fixing upon the time and place for the opening of all sealed bids. I also required the Commissioners to notify the Exchange when such bids would be submitted, giving the time and place. This time and place was fixed upon as January 5, 1915, at my office in the Statehouse, Springfield. On January 5, the Commissioners brought to me at my office certain sealed bids. As no one representing the Exchange was present, I telegraphed the president of the Exchange, under date of January 5, 1915, notifying him that sealed bids for the slaughter of lumpy jaw and diseased cattle were presented to me by the Commissioners; that no one representing them was present, and that I would defer opening the bids until 10 o'clock on the following morning, January 6. On that day the bids were opened and tabulated; whereupon I wrote a letter to the Exchange, enclosing copies of these bids, and requested said Exchange to examine said bids and if they had any views to express thereon to present same.

Shortly afterward Messrs. Stafford and Martin of the Exchange and the attorney for the Exchange, Mr. Edward Everett, called at my office and requested me not to award any bids until the whole matter of the controversy could be examined by a committee to be appointed by myself. I thereupon sent for Dr. O. E. Dyson, State Veterinarian, representing the Commissioners, and, after a long and painstaking discussion, it was suggested by Mr. Everett and agreed to by the representatives of the Exchange and Dr. Dyson, representing the Commissioners, that I should select a disinterested referee or umpire and that such disinterested referee or umpire should be an expert in the methods of slaughtering cattle and that he and Mr. Garrett, Assistant

Attorney General, and Mr. Everett should act as a committee to go to Chicago, visit the slaughtering houses, thoroughly investigate the methods pursued in the past, and advise me as to the course to be pursued in the future.

I thereupon, in the presence of these same gentlemen, suggested to them that such referee should be selected by one of the large packing companies in the City of Chicago, as I myself was not acquainted with anyone who was an expert in the methods of slaughtering cattle. I suggested the firm of Cudahy & Co. as being a firm who could probably give me the name of an impartial expert in that line. Mr. Everett, Mr. Garrett, the representatives of the Exchange, and Dr. Dyson, representing the Commissioners, all agreed to this suggestion, whereupon, in their presence, I dictated and afterwards sent a letter to Cudahy & Co., requesting them to give me the name of an impartial and skilled expert along these lines.

At the same time and in the presence of these gentlemen, I dictated the following memorandum, dated January 7, 1915, and they all expressed themselves in entire accord therewith:

"At a conference between the Governor, Dr. O. E. Dyson, State Veterinarian, Messrs. Stafford, Martin and Everett, members of the Chicago Live Stock Exchange, and Mr. Garrett of the Attorney General's office, it was agreed, informally, that a special commissioner should be selected by the Governor to sit in conference with representatives of the State and the Chicago Live Stock Exchange, to pass upon the character of the specifications that should be agreed upon in any contract let for the slaughter of lumpy jawed cattle, and all cattle held by the order of the State for slaughtering in the Union Stock Yards, Chicago, and advise the Governor and the Live Stock Commissioners of the State in relation thereto.

"Also to advise them in reference to the method of securing to the owners of diseased cattle just and proper returns for the carcasses and offal after slaughter.

"It was further informally agreed, pending this hearing, that the slaughtering of diseased cattle should be carried on at the Western Packing Co., under a temporary arrangement now existing between the Live Stock Commissioners and the said packing company, and that the moneys now in the hands of the Live Stock Commissioners of the State of Illinois, as the proceeds of carcasses and offal of cattle that have been killed during the last two or three weeks, should be paid over to the Chicago Live Stock Exchange upon this exchange giving a receipt in which they bind themselves to pay said moneys over to the persons

legally entitled thereto, under the laws of this State, and to indemnify the Live Stock Commissioners from any and all liability thereof, and that until a final report is made and a slaughter house selected, that the proceeds of the slaughtering of diseased cattle in the Western Packing Co. be paid over to the Chicago Live Stock Exchange upon their giving like receipts therefor.

"This commission so composed shall have the absolute right to investigate all the books and accounts of the Chicago Live Stock Exchange and make a report thereon; it being the spirit and intention of the Live Stock Commission of the State, the Chicago Live Stock Exchange, and the State Veterinarian to facilitate the handling of this cattle to the satisfaction of the public."

On January 8 the Cudahy Packing Co. notified me that they would select the expert requested.

On January 9 the Cudahy Packing Co. notified me that they had selected Mr. Wm. Diesing (a gentleman whom I have never before had the pleasure of meeting), manager of their beef department, to serve on the commission.

On January 16 Mr. Diesing accepted the appointment and so notified both the Commissioners and the Exchange.

Thereafter Mr. Diesing, Mr. Garrett and Mr. Everett met and conducted their investigations.

On February 15 Mr. Diesing, on behalf of himself and Mr. Garrett, presented me with a report of the Board of Referees or Examiners. Accompanying the same was a letter from Mr. Diesing in which he states "All three members of this committee agreed to this report paragraph by paragraph as we made it up, the purpose being to make an unanimous report. However, after the report was written and ready for signature, the representative of the Chicago Live Stock Exchange refused to sign. Mr. Garrett and the writer did sign." In a separate written report signed by Mr. Everett, he (Everett) states "I approve of the form of contract submitted by the majority of the committee in their report, and of the suggestions they made therein for the future conduct of the business." He, however, in another part of his separate report recommends that the selection of the slaughter house be left in the hands of the Exchange.

This report, signed by Mr. Diesing and Mr. Garrett, declares: "We interviewed persons who have been identified with the conduct of this business in the past and others who are identified with it at the present time.

"We examined plants where the slaughtering had been done under previous contracts and is being done now under present arrangements. We investigated the methods of conducting this

business throughout; we examined the contracts covering same during the last ten years and ascertained some of the results secured under each contract by an examination of the actual records."

The report further states:

"That as a result of our investigation, which is substantiated by the records of the Chicago Live Stock Exchange, we believe that the said exchange, through its supervising committee, have acted in good faith and honestly and have returned to the commission firms for the account of the owners of the animals slaughtered full proceeds received by the exchange for the products from the animals, less incidental charges, which we find are reasonable and usual.

"But, however, there seems to have been a shortage in the returns made by the various slaughterers to the Live Stock Exchange. The returns were not in accord with the terms of the contracts in force. There appeared to be a shortage in certain items of offal. The supervision of the work done and the handling of the business by the Live Stock Exchange under the different contracts in force from time to time appears to have been insufficient to get full returns from the slaughterer under his contract.

"Statements made that the slaughterers retained part of the product from the slaughter of State animals and to which they were not entitled under contract, seem to be substantiated by figures taken from the records on file in the Live Stock Exchange office."

The report further states: "From 1905 to the date of this report three contracts with the Chicago Live Stock Exchange and one with the State Board of Live Stock Commissioners have been in force pertaining to the slaughter of State retained animals, as follows:

"No. 1. Standard Slaughtering Co.—From July 1, 1905, to March 17, 1914.

"No. 2. Chicago Packing Co.—From March 17, 1914, to July 7, 1914.

"No. 3. Bismarck Packing Co.—From July 7, 1914, to December 24, 1914.

"No. 4. Western Packing Co.—From December 24, 1914, to date.

"The first three were under the supervision of the Chicago Live Stock Exchange and the fourth under the supervision of the State Board of Live Stock Commissioners."

In demonstration of the results secured under operation of these various contracts, the committee had drawn from the rec-

ords and submitted to it, with the original records for verification, figures covering cattle killed and handled under these four forms of contracts for the following periods:

"I. Five weeks about October, 1913—With Standard Slaughtering Co.

"2. Five weeks about October, 1914—With Bismarck Packing Co.

"3. Five weeks about January, 1914—With Standard Slaughtering Co.

"4. Five weeks during April and May, 1914—With Chicago Packing Co.

"We also secured from the office of the State Board of Live Stock Commissioners, now in control of the slaughtering work, figures demonstrating the four week period ending January 15, 1915, under an arrangement in force during that period with the Western Packing Co. These figures can readily be verified. We consider them substantially correct. A detailed analysis of these figures is hereto attached, made a part of this report, and marked 'Exhibit 5.'

"Among the important points developed by the analysis of these figures are the following:

HIDES.

"From animals passed for food.

"All contracts specified green weight of hide to be returned by slaughterer.

"The class of cattle covered by these demonstrations, as indicated by average live weight, should yield conservatively 6.75 per cent green weight.

"The Western is the only one in the figures approximating this yield.

"The others indicated a shortage of about seven pounds to the hide, worth about $1.00 per head to the owner."

The report of the committee further states: "That the yield of offal, including butter fat in the Standard is short on this item 24.2 cents in one demonstration and 25.6 cents under the other demonstration, for every 100 pounds of live animals handled which were passed for food. Under this contract all parts were to be returned by the slaughterer," and that the "demonstrations show a shortage of offal under the terms of the contract as follows:

	Per cwt., live weight.	Per head
"Standard—1913	34.1	$3 15
"Bismarck—1914	22.5	1.95
"Chicago—1914	12.½	1.28
"Western—1915		"

The report further states: "That the Standard, which, under the terms of its contract, was to return all parts of passed and condemned animals and retain nothing, yielded the poorest returns to the owner in this demonstration under this heading, and that the returns from the Standard Slaughtering Co. under its contract were entirely insufficient."

The report recommends on the subject of contracting for the slaughter: "That such contract be made with the slaughterer who will make the best terms, on a competitive basis. The bids, for the purpose of securing this business under contract, should be considered from all firms that can qualify, by showing sufficient facilities to do the work as required, and whose plant is under full United States Government inspection, and who can meet the requirements of the contract as to bond for the faithful performance of the same, and give satisfactory assurance of financial responsibility."

The report further recommends: "That persons of experience be employed to observe the killing and dressing, and the sale and delivery of products, for the purpose of determining whether or not the slaughterer is strictly complying with the terms of the contract."

The report further recommends: "That in addition to the present method of keeping accounts of all cattle covered by State inspection, there be added to the present method of acounting a system of keeping figures of each week's killing, so that there may be established a standard basis for returns. This record should show the percentage of live weight yielded in dressed beef, hides and butter fat separately for each week, as illustrated by the figures shown in other parts of this report. This system will establish a standard yield for each item, which will be useful for comparative purposes in determining whether or not full returns are received from each week's killing on each item. From this standard the results obtained from the slaughter under the contract may be checked against the established percentages. This, used in connection with the inspection in the slaughtering house, should insure a full return from the products of the animals."

The committee further reported: "That it could not agree as to who should let the contract," but recommends, "Whether the State Board of Live Stock Commissioners controls the letting of contracts or the Chicago Live Stock Exchange, the party not letting the contract should have the right to insist upon the slaughterer strictly complying with the terms of the contract, and should also have the right to investigate and inspect the detection, detention, inspection, slaughter and disposition of the prod-

ucts of animals slaughtered, and should have access to all of the transactions and to all books and records pertaining thereto."

The committee further reports a form of contract and specifications for slaughtering.

From the foregoing report it would appear that the Live Stock Exchange has had the contract of the letting of the contracts for many years last past, and that up to March 17, 1914, it had been letting these contracts to the Standard Slaughtering Co., year after year without interruption.

I have been presented with a certified copy of the records in the Criminal Court in Cook County, showing that at the January term, 1902, one Frederick Hess, who, I am informed, was at that time in the employ of the Standard Slaughtering Co., was indicted for keeping for sale a large amount of diseased animals, to-wit, steers, the flesh of which was then and there corrupt and unwholesome, and that said Hess was found guilty in the Criminal Court under said indictment and fined therefor.

I am also informed that at that time the Standard Packing Co. was slaughtering cattle for the Exchange and that the said company has continued from the time of the date of this conviction down to March 17, 1914, to slaughter these suspected cattle for the Live Stock Exchange.

In view of this indictment, and in view of the report of the committee as to the shortage in hides of $1.00 per animal, and of the shortages in return of offal, butter fat, etc., amounting to $3.15 per head, and in view of the fact that the committee further reports: "The Standard, which under the terms of its contract, was to return all parts of passed and condemned animals and retain nothing, yielded the poorest returns to the owner in this demonstration," and that "The returns from the Standard Slaughtering Co. under its contract were entirely insufficient." I cannot understand how the Exchange could have continued to do business with this company during all these years and still claim that it was vigilant of the rights of the owners of the slaughtered cattle.

As there was a shortage of $1.00 per animal per hide and $3.15 per head on account of this insufficient return of offal, etc., while the Standard Packing Company was doing this slaughtering, it must in the aggregate, have amounted to an enormous sum of money between the years 1902 and 1914. I am informed that on an average the number of cattle slaughtered each week is 250, and if this be true, the shortage of $4.15 per head would amount to the enormous sum of $54,000 annually.

I am satisfied from the report that the Exchange has accounted for all moneys received by it from the slaughtering com-

pany, less reasonable and proper deductions for handling these moneys, but I am also clearly of the opinion that the Live Stock Exchange did not exercise that vigilance and care in inspecting, slaughtering, and securing the full returns from the slaughtered animals that it should have exercised, and that great losses have resulted therefrom to the owners of lumpy jaw cattle who have consigned the same for sale in the Union Stock Yards.

In my judgment, the recommendations of the committee, "That a contract be made with the slaughterer who will make the best terms, on a competitive basis; the bids, for the purpose of securing this business under contract should be considered from all firms that can qualify by showing sufficient facilities to do the work as required and whose plant is under full United States Government inspection, and who can meet the requirements of the contract, as to bond for the faithful performance of the same, and give satisfactory assurance of financial responsibility," should be carried out.

I am further clearly of the opinion, in view of the statements made in this report that the Live Stock Commission of this State must take the responsibility of letting the contracts for the slaughtering of such animals under the terms and conditions recommended in the report signed by Mr. Diesing and Mr. Garrett, giving the right at all times to the Live Stock Exchange to be heard at the opening of the bids as to any objections that they may have to urge against the bidders, the Commissioners to finally let the contract, with the approval of the Governor.

I am further of the opinion that the Live Stock Exchange should be permitted at all times to inspect the slaughter house and the methods of slaughtering and disposition of the carcasses and offal, and that the proceeds of these carcasses and offal should be turned over to the Live Stock Exchange for distribution to the owners or persons lawfully entitled thereto.

I am further of the opinion that the practice of selling options upon condemned cattle before slaughter should be discountenanced and discouraged, as I believe the practice has been used to the great financial loss of the owners of the cattle, who are frequently frightened into the disposal of their cattle when they are tagged as suspects.

Mr. Everett in his separate report declares: "That more than ninety per cent of the lumpy jaw cattle are passed as fit for food on post mortem examination." If this be true, the owner of the suspected animal has nine chances out of ten of being able to sell the carcass of the suspected animal for food fit for human consumption, and he should not be frightened into selling the suspected animal because it has been tagged.

THE ABOLITION OF CAPITAL PUNISHMENT.

MESSAGE TO THE FORTY-NINTH GENERAL ASSEMBLY, MARCH 10, 1915.

Gentlemen of the Forty-ninth General Assembly:

I respectfully recommend the passage of a law abolishing capital punishment in the State of Illinois.

The strongest, if not the sole logical argument in favor of its retention is that it acts as a deterrent upon the criminal and is therefore a protection to society against the commission of murder. If it proved to be such a deterrent, I would not urge its abolition. Experience in the United States does not sustain the contention. Capital punishment by law has been placed upon and has remained upon the statute books of nearly all of the states of this Nation since the inception of their governments. Up to the year 1913, only six states of the United States had abolished the death penalty. In 1913, the state of Washington abolished capital punishment.

United States statistics of 1910 show that five of these states rank among the twenty states having the lowest per capita of homicides, all of these five states having a percentage of less than .08 in each 10,000 inhabitants. The other noncapital punishment state, Kansas, has the same percentage of homicides, 1.01 in 10,000, as have the states of Illinois and Maryland, in both of which capital punishment has been enforced.

The twenty-one states of the Union having the highest percentage of homicides, all of which have a greater percentage per capita than Illinois, Kansas and Maryland, have capital punishment in their criminal codes, and such punishment has been duly enforced.

From the foregoing statement of statistics, it will be seen that the states having a capital punishment law, rank as a rule among the states having the greatest percentage of homicides, while those which have abolished capital punishment as a rule rank among those which have the lowest percentage of homicides.

Such condign and repulsive punishment has therefore failed to have a more deterrent effect than imprisonment, in the United States.

Why, then, should capital punishment be longer retained in Illinois?

In this State of ours, 651 homicides were committed in 1910, after nearly a century's enforcement of this law, while in our neighboring state of Wisconsin, where capital punishment has been abolished, the percentage of homicides has not been much over 50 per cent per capita of those committed in Illinois.

The cold-blooded enforcement of this awful penalty under the forms of law is brutal and abhorrent and wrenches the decent sensibilities of every public official who, by any act or omission, is required by law to participate in its enforcement, including the jurymen who impose the penalty, the judge who sentences, the Governor who refrains from pardoning, the sheriff who superintends the hanging and the miserable unknown human tool who cuts the rope.

Taking human life is only justifiable in self-defence. Under the pretence of self-defence, the People of the State of Illinois have been for years taking human life under the forms of law. As a defence of society against murder, judicial taking of human life has proved a failure. It has proved to be no defence.

Imprisonment is equally effective, with less opportunity of irrevocable mistake, "Thou shalt not kill" is the law of Christianity and should be the law of twentieth century humanity.

Let us, then, in the name of humanity, replace the punishment of death with the punishment of imprisonment, following the precedent of more humane communities that have not suffered thereby.

Let us put to death, not the wretched convict, but the law which has heretofore taken his life without real advantage to society or the State.

Respectfully submitted,

E. F. DUNNE, *Governor.*

THE IRISH-AMERICAN CITIZEN.

ADDRESS OF GOVERNOR EDWARD F. DUNNE OF ILLINOIS ON SAINT PATRICK'S DAY, CINCINNATI, OHIO, MARCH 17, 1915.

Mr. Toastmaster, Ladies and Gentlemen:

At the present time, more than ever in the history of this Nation, should the citizen of Irish birth or lineage be careful to place his loyalty to the United States above his sympathies with any of the European countries, now unfortunately embroiled in war.

It is now the supreme duty of the American statesmen in Washington to preserve the strictest and most impartial neutrality between the warring nations and keep this country from being embroiled in the awful conflict now raging in Europe. Day by day the belligerents in the blind fury of the struggle are trampling upon the rights of neutrals and making it almost impossible to keep our country from entanglement.

In this critical situation it is the duty of every citizen of this country, no matter what his birth or lineage, to uphold the hands of our President and Secretary of State in their efforts to preserve the peace between America and the warring nations of Europe and in the laudable efforts they have been making to bring about mediation between the belligerents. Never in recent history was there greater need in this country of moderation, tact, and statesmanlike diplomacy by American statesmen, and of loyalty and patriotism by all American citizens.

To allow this Nation to become engulfed in the European cataclysm would be a stupendous political blunder, if not a political crime, which the patriotic President and Secretary of State will not commit. Let not then American citizens of any race, no matter how they may inwardly sympathize with one or more of the belligerents, embarrass our public officials at this critical time by the public expression of such sympathies or by participating in meetings or organized efforts to give contraband assistance to any of the belligerents.

This great, generous, liberty-loving and peace-preserving Nation has opened wide its doors to all the races of Europe, and placed the children of these races upon a political equality with her own. Hundreds of thousands, aye, even millions of the children

of all these warring countries are within our gates, enjoying the rights of native-born Americans under the pledge made in their oaths of naturalization that they would forever forswear allegiance to the land of their birth and this oath they should and will keep both in letter and spirit.

Hands off for Europe, hands up for America, should be our watchword. Neutral nations in Europe now stand armed cap-a-pie not knowing what moment they may be engulfed in the maelstrom.

Separated from them by three thousand miles of ocean this favored land of ours, under the guidance of such devoted apostles of peace as President Wilson and Secretary of State Bryan, will not become involved if they are not embarrassed by the acts of misguided sympathizers with the belligerents, who are citizens or residents of this Republic.

Let us then in this crisis suppress our racial sympathies, place American patriotism and love of country above all other considerations, and confine our energies during this European war to working and praying for a speedy cessation of this awful conflict and the restoration of peace among the harrassed and war-smitten nations of Europe.

Let us pledge to our country in the words of Oliver Wendell Holmes:

> "One flag, one land, one heart, one hand,
> One Nation, evermore."

To thee, America, is our first and last allegiance.

> "Our hearts, our hopes are all with thee.
> Our hearts, our hopes, our prayers, our tears,
> Our faith triumphant o'er our fears,
> Are all with thee, are all with thee."

ON THE MANAGEMENT OF THE BIOLOGICAL LABORATORY.

STATEMENT TO THE PUBLIC, APRIL 9, 1915.

In the matter of the management of the State Biological Laboratory in connection with the operating methods and the free distribution of anti-hog-cholera serum to farmers within the State, I have upon investigation arrived at the following conclusions:

First. That the present method of free distribution of anti-hog-cholera serum is highly unsatisfactory and should be discontinued.

Second. That the State Biological Laboratory should be placed upon a self-sustaining basis. This could easily be done by the expenditure of $25,000 for additional buildings and equipment which would enable the director of the laboratory to turn out five times more serum per annum than has heretofore been possible.

Third. By appropriating not less than 50,000 to be used as a permanent operating fund for the production of serum to be sold directly to farmers or farmers' clubs at approximately the cost of production, with a slight additional charge to cover depreciation and upkeep of the plant, satisfactory results could be obtained and much needed service rendered to swine breeders within the State, practically without expense to the State. Under present conditions the State has annually appropriated from $30,000 to $40,000 for the benefit of a comparative few who have been supplied with serum gratis at the expense of the State.

Fourth. Under the proposed plan of operation the laboratory can be made self-supporting and at the same time render a useful and satisfactory service to a large per cent of swine breeders throughout the State. In the event that the General Assembly sees fit to effect the proposed change, farmers' clubs should be organized for the purpose of combating the ravages of hog cholera. Serum should be purchased in advance of inevitable outbreaks and placed in cold storage in their respective localities, in order that it may become available for use immediately when cholera is first discovered in a herd. By this means I am au-

thoritatively advised that losses resulting from hog cholera, even in infected herds, can be reduced fully fifty per cent, and inasmuch as the annual losses resulting from hog cholera within the State are conservatively estimated at approximately $3,000,000, every possible effort should be made to utilize to the utmost, modern means of preventing such losses through the early treatment of infected herds with serum and by the adoption of sanitary means of preventing the spread of the contagion of hog cholera broadcast through the State.

I am satisfied that the proposed plan of operation would receive the full approval of the agricultural press and practically all who are personally interested in the suppression of hog cholera in Illinois.

In substantiation of the foregoing remarks and for the purpose of proving untrue charges that the cost of producing serum during the past year was greatly in excess of that of the preceding period, the following comparative itemized statements, compiled and presented to me by Dr. O. E. Dyson, State Veterinarian, should be carefully noted:

STATEMENT.

Serum produced at the Biological Laboratory, and cost of same, March 15, 1914, to March 1, 1915.

Serum produced during year ending March 1, 1915		5,039,860 cc
Expenditures covering purchase of hogs, feed, labor etc.	$	32,101.95
Salary Bacteriologist and Assistant		5,575.00
Salary Messenger		745.00
Total cost of serum production	$	38,411.95
Cash reverting to State Treasurer from sale of hog carcasses.		9,642.79
Total cost of 5,039,860 cc serum	$	28,769.16
Cost of serum per cc		005.71
Cost of serum per quart		5.71

Note—During the above period the plant was operated for the production of serum for nine months only, while overhead charges are included for the period of eleven and one-half months. All serum produced was tested for potency. All virus used was produced upon the premises.

CAPITAL PUNISHMENT.

ADDRESS TO FORTY-NINTH GENERAL ASSEMBLY, APRIL 27, 1915.

Gentlemen of the House:

I appreciate very much the courtesy that you have extended to me in inviting me to be present and express my views upon a subject that I think very nearly concerns not only the Governor of this State but every citizen in the State of Illinois, and, indeed, I think not only the citizens of Illinois, but the citizens of every civilized country on the face of the globe.

We have today in this State, and in most of the states of the Union, have had for a number of years a law fixing the penalty of death for certain crimes in this State.

Some years ago, when I was judge of the Circuit Court of Cook County, and ex officio judge of the Criminal Court of Cook County, I became a convert to the view that that punishment ought not to be insisted upon in any civilized community.

While sitting on the bench in the Criminal Court a man was tried before me for murder. Prior to his being placed on trial before me as a judge of the Criminal Court, this same man had been placed upon trial in the same court before another judge and another jury, and after a trial given to him under the forms of law, and a fair trial so far as I could see, this man was condemned by his fellow men sitting upon the jury, to death, and sentenced by the judge of that court to death, and were it not for the fact that his friends were able to take an appeal and present it, with the record, to the Supreme Court of this State, that man would have been executed, and any mistakes that might have been made by the judge or jury could never have been rectified. That man, subsequently was placed on trial before another jury and before myself, and was acquitted after fair trial, and I believe, after a careful consideration of that report, that the probabilities were very strong that that man was absolutely innocent. I refer you to the case in the 188 Illinois —Michael J. Synon v. State of Illinois, opinion filed in the Supreme Court February 20, 1901.

The case was reversed, not because of the admission of evidence contrary to law; not because of the exclusion of evidence contrary to the law; not because of faulty instructions, but reversed because

of certain statements made by the judge on the bench to the prisoner while the prisoner was a witness upon the witness-stand. That was the only thing that prevented his execution; and a fair jury afterwards acquitted that man, and I believe to this day that he was innocent—Michael J. Synon. That is my personal experience in one case.

Last year in this State a young man named Pfanschmidt, was tried for the murder of one of three persons, whom it was claimed he killed for the purpose of getting possession of their property. I believe one was his father, one was his mother and the other was his sweetheart. That man was tried under the forms of law and I believe that both the judge and jury were conscientious in giving him that trial. He was found guilty by a jury and sentenced by a court to be hung. Fortunately for him he had means enough to appeal that case to the Supreme Court. The court reversed the finding. That man within the last six months, I believe in two trials, has been acquitted by a jury of his fellow men, the opinion of these jurors being that this man was innocent.

This illustrates to you the terrible danger that society runs into in convicting men and sentencing them to death.

Cases have been cited by English judges of standing and integrity, of known cases where innocent men have been strangled under the form of law, and this, in my judgment, is one of the reasons why capital punishment ought to be abolished.

The advocates of capital punishment point to the cases of the assassination of Abraham Lincoln and of James A. Garfield, and say, Would you abolish capital punishment in cases like that? There may be some room for argument there. I believe it should never be inflicted. But even in those cases, my friends, it was more than murder. That was treason against the State, and there may be some possible justification for taking the life of a citizen who is a traitor to his country and attempting to subvert the law of man by murdering its Executive.

The only logical argument in favor of the retention of this awful penalty is that it is a protection to society and acts as a deterrent against the commission of murder. If that were true, there might be some force in the position that the penalty ought to be retained, but I have carefully had the statistics of the Federal Government, which are known to be reliable, examined within the last few months and I have had them verified from different sources and know that they are correct, and here is the result, my friends: Does it act as a deterrent? Statistics carefully preserved show that it does not.

The 21 states of the United States that have the greatest percentage of capital punishment have laws upon the statute books that have been rigidly enforced for over a century in most of them, and they have the greatest number of homicides per capita in those states where that penalty has been retained.

On the contrary, these same statistics show that among the 20 states having the lowest percentage of capital punishment in the United States, that five of the six states that have abolished capital punishment are in the number of those having the lowest number of homicides per capita, and that the one state where they have abolished capital punishment, has exactly the same percentage of homicides per capita as the State of Illinois that has had that penalty upon its statute books for over a century. Capital punishment was enforced in the Territory of Illinois before she became a state, and has been on the statute books ever since Illinois was admitted to the Union, in 1818 down to the present time.

It is because of the recognition of these facts by civilized communities throughout the world that legislation is gradually tending towards the abolition of capital punishment.

There was a time in the history of England when 160 offenses were punishable by capital punishment, and during the reign of Henry VIII, 72,000 people lost their lives judicially as the result of violation of the law. In recent times the tendency has been away from this capital punishment.

I am reading from a pamphlet issued by Brand Whitlock, a former mayor of Toledo, Ohio, and now consul for the United States in Belgium—a man whose integrity, whose humanity and whose veracity will not be questioned by any man in this House:

"Capital punishment was abolished in Egypt for 50 years during the reign of Sebacon; in Rome for 250 years; in Tuscany for more than 25 years; in Russia for 20 years of the reign of Elizabeth, and substantially during the reign of her successor, Catherine, and has been abolished at the present time in Russia for everything excepting violation of the military code. There is no capital punishment today in Russia for murder.

"Again: Under Sir James Mackintosh it was prohibited in India for seven years; the state of Rhode Island has done without it since 1852; Michigan since 1847; Maine since 1835; Holland since 1860; Saxony since 1868; Belgium since 1831; it has been abolished in Italy, Switzerland, Sweden, Norway, Denmark, Portugal and elsewhere. Its abolition has not produced lynchings in those places.

"Within the last two months capital punishment has been abolished in the states of Tennessee and one of the Dakotas. It is also now in force in Washington, having been adopted in the last year or two."

In other places in his pamphlet he goes on to say that those states in which there are the greatest number of lynchings in the United States, are the states that have retained capital punishment.

Six states of the United States, up to the present year, have abolished the capital punishment. Of these six states, five of them are among the states that have the least number of homicides. Minnesota recently abolished capital punishment. Governor Eberhart, on February 11th of this year—1915— stated:

"The death penalty in this State was abolished four years ago, with the result that there has been no increase of crime, but on the other hand, there has been an increase of about 50 per cent in the number of convictions."

We refer to lynchings as the result of the abolition of capital punishment. Let me read from statistics compiled by another authority. Legalized murder has been proven wanting, in that it is an incentive to more violence. Those states in which there are the greatest number of legal executions are the states which also have the greatest number of lynchings. Thus, Georgia, in the last 21 years, has had 216 hangings and 314 lynchings; Texas, with 171 hangings, also had 235 cases of mob violence.

This ratio is continued in the North, so there can be no claim that it is the result of the negro danger.

Colorado, in the same time, has had 16 judicial hangings and 23 lynchings; Indiana has had 18 lynchings, showing a direct connection with its 14 judicial hangings. On the other hand, Michigan has not had a single legal hanging and has had but two cases of mob murder. Wisconsin, also, without any legal hangings, has had but two lynchings. These two northern states both have a rough population in their mine and lumber camps and have had but four cases of lynching. Ohio, Indiana and Colorado, with a total of 83 legal hangings, have had 65 lynchings. California and Wisconsin have about the same population and both have a peculiarly agricultural community. California uses the noose; Wisconsin the life sentence. In the year 1910, as well as in the years 1908, 1909, 1911 and 1912, there were six times as many murders in California, where they hang people, as there were in Wisconsin, where they imprison them for life.

These statistics show, gentlemen, that the abolishment of capital punishment does not provoke mob violence.

Let me read a little further: Let us go back to our closely related states—Ohio, Wisconsin and Michigan, our neighbor states. Ohio has twice as many murders in proportion to the population as these other states without the death penalty. Ohio

in the last 12 years has averaged one murder conviction in every 56,000 people, while Wisconsin only one to every 127,000, and Michigan one to every 206,000.

Gentlemen, while this awful penalty has been on the statute books, it must wrench and distort the sensibilities of every juryman who is called to sit upon a capital case, and every judge who sits as the presiding judicial officer, and to every governor to whom appeals are made for commutation of the sentences, and to every sheriff who executes the penalty, while it wrenches the decent sensibilities of that unknown human tool who cuts the rope. While, I say, that sort of penalty has been upon the statute books, it has been enforced by juries, judges and Governors of this State, and yet the result in the State of Illinois is that, as compared with Wisconsin, just across the line, where they have abolished capital punishment, we have nearly twice as many homicides or murders per capita, as they have in that state. This fails to prove that it is a deterrent and that is the only logical reason for retaining it upon the statute books.

Because of the fact that we have this law, many men are acquitted or escape being found guilty, because of the natural aversion in the natural human being to the taking of the life of a fellow man.

It is because of these facts that I have reached the conclusion that it has ceased to be a deterrent in civilized society, and that it should be abolished, and in reaching this conclusion, I am glad to say that I do not find myself alone. I find in my company such men as Dr. Hirsch, Bishop Samuel Fallows—and let me read you a list of a few of the men in the present day and in the past, who have advocated the abolition of this awful penalty. Sir Edward Coke, Lord Bacon, John Bright, Sr., Samuel Romilly, the Marquis Becarris of Milan, Sir William Meredith, Sir James McIntosh, Basil Montag, Jeremy Bentham, Edward Livingston, Robert Rantoul, Jr., Sir Thomas More, Rev. William Turner, Lord Byron, the Duke of Sussex, Earl Gray, Dymond, Chief Justice Denman, Thomas Barret Lennard, M. P., Joseph Hume, M. P., Daniel O'Connell, M. P., J. Sidney Taylor, Lord Brougham, Lord Granville, Lord Hobart, Earl Russell, Thomas Jevons, Pastoret, Lafayette, Montaige, Victor Hugo, Vattel, Oscar of Sweden, Benjamin Franklin, William Bradford, John Quincy Adams, Governor Edward Everett, Vice President Richard M. Johnson, Elisha Williams, Vice President Dallis, Father Mathews, Voltaire, Bishop Matthew B. Sampson, Robert G. Ingersoll, Rev. James Murphy, Professor T. C. Upham, Governor George Clinton, Governor Seward, Cassius M. Clay, Theodore Parker, Judge Benjamin F. Porter,

Charles Sumner, John A. Andrew, Thomas B. Reed, William Dean Howells, and a host of other broad-minded men, humanitarians and believers in the preservation of society, and it is because of these objections to the law that I felt it my duty, as I have done, to advise this Legislature to abolish that dread penalty and replace it with imprisonment.

I thank you, gentlemen, for the opportunity of presenting my views.

ON THE SINKING OF THE LUSITANIA.

STATEMENT TO THE PUBLIC, MAY 8, 1915.

In the matter of sinking of the Lusitania, I am of the opinion that American citizens generally, and particularly those in public office, outside of the office of the Secretary of State, should not in this grave crisis forestall or embarrass the President and the Department of State by giving utterance to their personal views in relation to this grave calamity.

I have implicit confidence in the wisdom, patriotism, diplomacy, and tact of the responsible authorities at Washington, and believe that the action that will finally be taken in Washington will meet with the approval of the American public and avert the awful calamity of war, with honor and credit to the American Republic.

THE EFFECT OF THE OPENING OF THE PANAMA CANAL.

STATEMENT TO THE PUBLIC, MAY 11, 1915.

To show how the opening of the Panama Canal has disturbed manufacturing and producing interests of the State of Illinois, and of the Mississippi valley, to the advantage of the manufacturers and producers on the eastern seaboard, Governor Dunne today called attention to a circular issued May 3, 1915, by the Upper Mississippi River Improvement Association, calling a convention to discuss the subject on June 9th, at Dubuque, Iowa.
vention to discuss the subject on June 9, at Dubuque, Iowa.

"Owing to the disturbed transportation conditions arising from the new rates via the Panama Canal, whereby nearly all benefits of the canal are accruing to seaboard, or near seaboard points, to the detriment of interior sections of the country, the dangers menacing its commercial and manufacturing interests thereby, are so grave as to demand immediate and serious consideration by the shipping public of the Mississippi valley.

"As the only available and the obvious protection against these dangers is the use of the Mississippi River and its tributaries for freight transportation, in through bills of lading, without break of bulk, we feel fully justified in calling a conference of shippers to consider this important matter."

U. S. DIPLOMATIC COMMUNICATION TO GERMANY.

STATEMENT TO THE PUBLIC, MAY 14, 1915.

The diplomatic communication forwarded by Secretary of State Bryan after a conference with President Wilson and his cabinet has been formulated with the utmost caution, circumspection and deliberation. Before forwarding this official document to the German Empire, the President and his cabinet permitted sufficient time to elapse after the shock occasioned by the destruction of so many American noncombatant lives on the Lusitania to let reason, law and justice control their official deliberations.

Now the Nation has spoken through its President and Secretary of State, and the patriotic citizens of the Republic will stand loyally behind the President and his advisers and continue to give their loyal support to the President to the end of the chapter.

ON THE OPPRESSION OF THE POLES.

ADDRESS TO CHICAGO POLISH SOCIETY, MAY 20, 1915.

Mr. Chairman and Gentlemen:

Most of the great nations of the earth have had their tragedies as well as their triumphs.

Rome, once ruler of the world, lived to see the day when Attila and his Huns ravaged her temples and desecrated her sanctuaries. Carthage, proud mistress of the Mediterranean, had her palaces razed and her peoples destroyed by the Roman legions. France, after dictating terms of submission to most of the nations of Europe, was compelled to sign humiliating terms of surrender in her own capital.

So Poland has had her days of triumph and her days of disaster. She triumphed at Tannenberg over the Teutonic knights and again at Vienna when brave John Sobieski saved Europe and western civilization from destruction at the hands of the Ottoman horde. But she has also had her days of tragedy when the glorious kingdom which stretched from the Baltic almost to the Black Sea, and from the Oder to the Dnieper, was blotted from the face of the earth by the Austro-Prussian-Russian coalition.

Since that awful tragedy, when over twelve million of the bravest people of Europe lost their right of nationhood, the story of Poland has been one of sorrow, tribulation and disaster. In nearly every war that has convulsed central Europe, the combatants have made the soil of Poland the chosen battlefield. The tide of battle has surged to and fro across her ravaged field and plundered cities. She has become the Niobe among the nations, helpless, almost hopeless, in her sorrows, but commanding the sympathy of the world.

We are here today not to right her political wrongs, not to restore her independence, not to place her again among the nations of the earth, but to sympathize with her in her agony and to devise means to relieve the terrible distress of her noncombatant women and children.

Much as her heroic past and distressful present may appeal to our sense of chivalry, we cannot at this critical time, when most of the civilized nations of Europe are engaged in the most widespread and disastrous war in all history, do aught but pre-

serve the strictest neutrality in word and action. We must, as loyal sons of this great Republic, remember this country must not by any act or speech of its sons, either in public or private life, in any way involve this Nation in the war madness of Europe.

That men and women in America, of German, French, British, Russian, Polish, Belgian and Italian blood should sympathize with men and women of the same races in Europe is natural and inevitable, but the impropriety of expressing such sympathies at this time in this great cosmopolitan country, is manifest.

No matter to what race we belong, no matter whether we ourselves or our fathers or grandsires came from one of these warring countries, we, all of us, are and must now and hereafter, first, last, and at all times be American citizens. We owe allegiance to but one country, we salute but one flag, we uncover to but one anthem, and we must live and die but for one land, the land we love and live in, the greatest and freest republic on the face of the earth, America.

This land, this Nation, must be kept out of this awful conflict. In the mad fury of the conflict the warring nations of Europe are on both sides trampling upon the rights of neutrals and may—though God forbid—drag us into the maelstrom of war. Let every citizen of the Republic, then—native and foreign-born—be circumspect in every act and deed during the continuance of this awful conflict. Deep down in your hearts you may have your racial sympathies burning hot and constant, but as loyal Americans, bank the fires within you and by neither word nor act provoke racial discussion or controversy.

As there was but one God, Jehovah, in the Jewish testament, let there be but one Goddess in American political testament, Columbia.

We cannot and will not participate in any way in the political struggles of Europe at this critical time, but we can and will sympathize with the distressed and starving women and children noncombatants in the terrible conflict and make every possible effort to give them succor and relief. The cry of the women and children of Poland should be heard and answered throughout the land. Some method must be devised of getting to them and saving them from the most awful of deaths, starvation.

Poland in her agony calls to the world for succor. That cry will not fall on deaf ears in this great and prosperous land. I sympathize with the mothers, wives and children of the brave German, French, British, Russian, Italian, Austrian, Servian and Belgian soldiers who are risking and giving their blood and lives in their countries' cause, but above all I sympathize with the

starving women and children of Poland, because I believe from all I hear, that their pitiable plight is the most terrible of all in Europe.

May God pity and relieve these helpless people in their extremity and may the charity of the world make speedy answer to her wail of anguish and despair.

GRATIFIED AT VOTE ON THE WATERWAY BILL.

STATEMENT BY GOVERNOR TO CHICAGO TRIBUNE, MAY 25, 1915.

I am naturally much gratified over the splendid vote that the waterway bill received in the lower House today. I am particularly gratified to know that so many Republicans placed the interest of their State above partisan politics. The proposition from the start was a pure, clean business proposition without an element of politics in it.

Since the opening of the Panama Canal, I, in common with many of the citizens of the State of Illinois, have been of the opinion that unless this waterway were opened the opening of the Panama Canal would prove a disaster rather than a benefit to the State of Illinois. The members of the Legislature acted in accordance with their honest convictions, and I believe even those who opposed the bill will be of the opinion before many months have passed that the measure just passed by the lower House is for the best interests of the State of Illinois.

I feel grateful to all who have supported this measure. The business interests of the State showed splendid vigor and intelligence in favoring its passage. In the great number of persons who have given valuable assistance to the passage of this bill it would be invidious to single out the names of any individuals.

UPON THE PASSAGE OF THE WATERWAY BILL.

STATEMENT TO THE PUBLIC, MAY 27, 1915.

In the passage of the waterway bill by both Houses of the Legislature this week, the State of Illinois is to be congratulated upon the fact that the members of those bodies, irrespective of politics, put the interest of the State of Illinois ahead of political considerations, and looked to the interest of the State rather than to political advantage.

A navigable waterway from the Lakes to the Gulf has been the prophecy and recommendation of the statesmen of Illinois since before its admission to the Union of States. That prophecy and recommendation has finally blossomed into a reality in so far as the Legislature is concerned.

The law just passed will enable the State of Illinois, unless some unforeseen and unrecognized legal difficulties intervene, to open up to the commerce of the Lakes an unobstructed passage from the Great Lakes to the Gulf and thus take advantage of the revolution in commerce which has resulted from the opening of the Panama Canal.

The law will go into effect on July 1, this year, and I hope to have the commission provided by law organized for effective work at that time. The work should be constructed promptly, efficiently and economically, and devoid of all selfish interest of any character.

When this waterway is opened to public navigation I predict that it will be recognized of as State-wide importance and not in the interest of any particular locality or class of citizens and that a tremendous commerce will develop between the Great Lakes and the Gulf.

ILLINOIS WATERWAYS.

ADDRESS BEFORE WESTERN ECONOMIC SOCIETY, CHICAGO, JUNE 1, 1915.

Mr. Chairman and Gentlemen:

The bill just passed by the Legislature known as the Illinois Waterway Bill, and which is now pending before the Governor for his approval, provides for the issuance of not to exceed $5,000,000 worth of bonds for the construction of a waterway at least eight feet in depth between Lockport and Utica.

For a proper understanding of the merits of the project the public should be informed of the physical surroundings of the same, which are as follows:

From the Chicago River southerly to Lockport in the Sanitary District canal there is a channel about twenty miles long, twenty-four feet in depth, and 160 feet wide in rock sections. From Lockport southerly to Joliet for about three miles there is a channel of from ten to twenty feet in depth. From Joliet to Starved Rock Park, which is located just above Utica, there is a stretch of waterway for sixty-five miles, in which there is no navigable channel, alongside of which lies the old Illinois and Michigan canal, originally constructed thirty feet wide at bottom and six feet deep, now scarcely four feet in depth.

Over this stretch of sixty-five miles the Des Plaines River and its continuation, the Illinois River, flows over a ledge of rocks with a declivity of about 100 feet in the sixty-five miles. About nineteen miles southeasterly from Joliet, across the Des Plaines River, is the projected dam of the Economy Light & Power Company, now under suspended construction. The rights of that company to this dam were acquired under a questionable lease obtained by that company about ten years ago from the then trustees of the Illinois and Michigan Canal.

Both Governor Deneen and myself have been endeavoring for years in the courts to invalidate this lease, but so far the State has been unsuccessful in every decision rendered. Southeasterly from Utica to Grafton, where the Illinois River empties into the Mississippi River, there is a God-created channel in the Illinois River seven feet in depth, which by dredging can be increased to a depth of eight feet at small cost. Thence from Grafton in the Mississippi

River to Cairo we have a channel of eight feet in depth without any prospect in a generation at least of securing a greater depth. United States engineers have advised the Federal War Department that the expense of securing a greater depth in the Mississippi River between Grafton and Cairo would be so costly as to make it a commercial absurdity at this time, and these engineers have in the past recommended an eight to nine-foot channel from Joliet to Utica.

With this statement of the physical situation, let us now consider what is proposed in the bill just passed by the Legislature. It provides in the law for the deepening and using of the old Illinois and Michigan canal for twenty miles between Joliet and Dresden Heights, Dresden Heights being just south of the Economy Light & Power Company's dam hereinbefore mentioned, thence deepening the channel to at least an eight-foot depth, and 150-foot width in the Illinois River and its use as a waterway for forty-five miles from Dresden Heights to Starved Rock, which is located just above Utica, except for about two miles at Marseilles, where the waterway channel is diverted from the river to a by-pass along the south side of the river and thence back to the river after passing the private dam and water power of the Marseilles Water and Power Company, this diversion being made for the purpose of avoiding any legal delays or complications with that company, which now maintains a dam and electric light plant at Marseilles. If this project, as above outlined, be carried out it will be seen that it would afford the people of Illinois a continued waterway eight feet in depth from Lake Michigan to Cairo, and thence by the Mississippi River to New Orleans and the Gulf of Mexico.

Heretofore there has been a wide divergence of opinion between engineers as to the depth of the proposed waterway. Some have advocated twenty-four feet, some fourteen feet, some eight feet and some even the rehabilitation of the old canal at a depth of six feet. In view of the fact that the Federal Government maintains a channel of only eight feet in the Mississippi River between Grafton and Cairo, and in view of the further fact that there is no probability of a greater depth being attained in the Mississippi River between the said points for a generation at least, it occurred to me after reading the report of the Federal engineers as to the condition of the Mississippi River and its depth of eight feet that it would be a great mistake, now that the Panama canal is open to commerce, to attempt the construction of any waterway at present in the Illinois and Des Plaines Rivers between Lockport and Utica at a greater depth than the channel in the Mississippi River.

I have been and am still of the opinion that it will not do for the State of Illinois to delay the construction of an eight-foot

channel if such a depth can be secured at the present time without jeoparding the future depth of the Illinois River in the event that a greater depth could hereafter be obtained in the Mississippi River. I, therefore, conferred with civil engineers, Cooley, Kelly, Shaw and Sherman, and asked them if they could not devise some engineering plan under which we could acquire, at once, the same depth in the Illinois River that we now have in the Mississippi River, and thus open the Illinois River to commerce without prejudicing the further depth of the river in the event that at some time in the future engineering science could bring about a greater depth in the Mississippi. These engineers after carefully examining the subject matter made a unanimous report, in which report was developed a scheme for the construction of an eight-foot waterway between Lockport and Utica. That scheme with some amendments demanded by local conditions at Dresden Heights, Marseilles and Ottawa, has after the fullest discussion in the press and before committees of the Legislature, been finally adopted and crystallized into the law.

The project will cost the State of Illinois not to exceed $5,000,000, which is to be paid for by the issuance of bonds not to exceed that amount. The waterway power to be developed at Starved Rock and at Joliet at the present time will, it is estimated by these engineers, not only pay the interest upon those bonds but will pay a large amount every year into the sinking fund to retire these bonds at maturity. Further water power to be developed hereafter at Brandon road in the Des Plaines River a few miles south of Joliet, will develop much greater water power, sufficient in amount to retire all bonds which may be issued for the construction of the same, before maturity.

The plan contemplates the using of the Illinois and Des Plaines rivers for forty-five miles at the present time, and the use temporarily of about twenty miles of the old Illinois and Michigan canal between Joliet and Dresden Heights. The temporary use of the canal for this twenty miles at the present time is necessitated by the fact that the Economy Light and Power Company's lease prevents our utilization of the river at the present time between Dresden Heights and Joliet without paying this company a very large amount of money to cancel their lease. It is our intention to proceed promptly with the construction of the waterway between Dresden Heights and Starved Rock over the forty-five miles in which the river channel is used, and to endeavor in some way to procure a surrender, or cancellation, or make some arrangement with the Economy Light and Power Company under which we can utilize the river between Dresden

Heights and Joliet. Failing so to do, we will use temporarily the old canal between these points, enlarging the locks and deepening the old canal to an eight-foot depth. A very valuable water power plant exists at Brandon Road a few miles south of Joliet in the Des Plaines River, which if developed will produce an enormous water power for the benefit of the State.

A navigable commercial waterway between the Great Lakes and the Mississippi River has been the prophecy and recommendation of every great statesman in Illinois from the day of Pere Marquette in 1763, when he crossed the portage between the Des Plaines and Chicago Rivers, down to the present day. That prophecy and recommendation seems to be realized so far as legislative action is concerned, by the law just passed. I believe a tremendous commerce will be developed over this waterway as soon as it is opened to the public.

The city of New Orleans has already spent $9,000,000 in the construction of its municipal docks and wharves, preparing for a trade that must inevitably come down the Mississippi valley en route to the Pacific coast. New Orleans is 900 miles nearer the Panama canal than the ports of New York, Boston and Philadelphia. By reason of the revolution in commerce resulting from the opening of the Panama canal, Illinois manufacturers have found it cheaper to ship by rail to New York and thence by ocean steamer to the Pacific coast, than to ship direct to the Pacific coast by rail, thus entailing a great handicap on Illinois producers in competition with producers on the eastern seaboard. This handicap will be removed as soon as the waterway is opened between the Great Lakes and the Gulf.

This project is of enormous value to the whole State of Illinois. It will cheapen freight rates between the Gulf of Mexico, which must redound to the benefit of this great manufacturing and agricultural State.

To let the waterway proposition linger along as it has done for the last quarter of a century with nothing done in the way of opening up a practical channel would be a commercial, financial and political blunder. The State has awakened to the necessity of a commercial waterway, and has provided for the opening of an eight-foot waterway, and I believe the results will be of enormous value to the whole State of Illinois.

NATURALIZED CITIZENS.

ADDRESS AT SPRINGFIELD, ILLINOIS, JULY 4, 1915.

Mr. Chairman, Ladies and Gentlemen:

It is appropriate that on the anniversary of the birthday of the Nation that this meeting should have been arranged for the purpose of enabling the native born citizenship of the community to extend the right hand of fellowship to the newly naturalized citizens who have within recent years taken the oath of allegiance to this Republic and severed the ties which bound them politically to the land of their nativity. The native born citizen has become by this voluntary act of the naturalized citizen a brother to the foreign born, who has become entitled to all of the rights and privileges of the native born citizen save and except eligibility for two offices, namely, the Presidency and the Vice Presidency.

In every other respect he stands under the law of this Republic on equal terms with the native born citizen. In return for these tremendous advantages, given so generously by the fundamental law of this Republic, he should and will give to this country, as he has always done in the past, his full loyalty and devotion. It is not in the nature of things that he can forget the land of his nativity; its history, its traditions, its language, its folklore, its music or its pastimes. Such is not demanded of him by the law of this land. But while he cannot in the nature of things forget, nor should he forget, his old associations in his native land, he must remember at all times that his first loyalty and love is to the country of his adoption.

At the present time when most of the great nations of Europe are embroiled in a tremendous and deplorable war it is possible that the naturalized citizen, whose kith and kin may be found on the red line of battle, will sympathize with his kindred and in his inner soul, may wish and hope for the success of his native land, but expression of these sympathies at the present time where men of different strains may be congregated is apt to lead to controversies and disagreements and might tend to involve this peace loving Republic in this awful warfare. It is the part, therefore, of wisdom and discretion, no matter how we may feel or how strongly we may sympathize in secret with one or other of the contending nations, to avoid

as American citizens, the utterance of any views which might embarrass this country in maintaining the strict neutrality which must and should be preserved during the whole of this warfare.

The paramount duty of this Nation at the present time is to observe and enforce the strictest neutrality, and every citizen of this country, whether he be native born or naturalized, should do everything in his power to uphold our officials in Washington in carrying out such neutrality.

In the War of the Rebellion, the naturalized citizen proved his devotion to this country, whether he came from the banks of the Elbe, the Rhine, the Loire or the Shannon. They shed their blood and gave up their lives to maintain the integrity of this country, and if a juncture should ever arise in the future when this Nation would become embroiled with any other nation, I know that the same reliance can be placed upon the naturalized citizen to do his full duty towards his adopted country.

The naturalized citizen should know but one flag, and but one Nation, and give his unquestioned loyalty to that flag and that Nation, the Nation in which he lives and to which his first and last devotion is due. In return for this allegiance and loyalty the American Nation has given and will give to the naturalized citizen the full panoply of its protection both from oppression abroad and violence within.

America welcomes you with open arms and generous heart and in return for that welcome I am confident that the naturalized citizen will give to his adopted country loyalty, even unto death. In peace and in war you should participate in all that concerns the well-being of your adopted land. Every right of citizen is at your disposal. In times of peace by your ballot exercise your franchise for the enactment of good laws and the selection of good men, and in time of war, if called upon, ally yourselves under your country's flag no matter what flag may fly above its enemies.

ON RAISING LEGISLATORS' SALARIES.

STATEMENT TO THE PUBLIC, JULY 4, 1915.

I have approved House bill, No. 386, being an act which raises the compensation of the members of the General Assembly to be elected in the year 1916 and thereafter, from $2,000 to $3,500 for the term for which they are elected, to-wit: for the term of two years.

In signing this bill I believe that I am actuated solely in so doing by the public interest, and that the law will redound to the public benefit. At the present time the salary of the members of the Legislature is $2,000 for the term for which they were elected, or $1,000 per year.

I am reliably informed that since the enactment of the direct primary it costs members of the Legislature from $500 to $1,500 and sometimes more, in all contested candidacies. Most of these expenses are incurred for advertising, printing, lithographs, hiring of halls, music, etc., which are entirely legitimate expenses in exploiting the candidate's claim for popular support.

In some few cases where candidates are unopposed the expenses of election may not be to exceed $500, but these cases are the exceptions. I think that I am safe in declaring that the average legitimate expenses of a candidate for member of the Legislature is $750. After the election he is compelled to attend at least one session of the Legislature, which, judging by the last three sessions of the Legislature, lasts close on to six months. The member is also compelled at times to attend special sessions of the Legislature outside of the regular session.

In attendance at these sessions of the Legislature the member is compelled to live in Springfield at least four days out of every week. Five days a week he must spend away from home, either in Springfield, or in going from or coming to Springfield. The cost of living in Springfield to the ordinary legislator must average at least five dollars a day. His living expenses in Springfield, and his railroad fare to Springfield and return must cost him on the average about $30.00 a week. An attendance of twenty-four weeks such as occurred during the sessions of 1913 and 1915, at $30.00 a week would amount to $720.00. Adding this $720.00 to $750.00 average expense of election, would make each member of the Legislature expend legitimately and fairly in securing his election and living

in Springfield, in the neighborhood of $1,500, leaving to the legislator as his compensation for the two-year term a bare $500 or $250 a year. This is the situation at the present time.

It leaves the legislator with such spare compensation a prey to the wiles and artifices of the professional lobbyist, ever at hand to cajole and corrupt the weak and unwary representative of the people. Such inadequate compensation in the past has been conducive to weakness on the part of the legislator, if not to corruption. Men in public life should not be exposed to the temptations produced by such a situation.

The member of the Legislature is charged with the performance of one of the most responsible duties of public life, to-wit: the making of the laws of a great State, which affect the lives, liberty, welfare and happiness of the whole community.

The compensation paid to the men who are called upon to perform these tremendous duties should be commensurate with the importance of these duties. The raising of the compensation of the members of the General Assembly to a decent figure, in my judgment, will inevitably result in enabling the members of the Legislature to resist the wiles of the tempter and to induce men of character, who must and can live upon a decent wage, to become candidates for these important offices.

Years ago the members of the city council of Chicago were paid grossly inadequate salaries with the result that franchises of enormous value to the city were handed over to corporations under ordinances which manifested a reckless disregard of the rights of the community. In recent years that city has changed its policy and now pays its aldermen $3,000 a year, with the result that the character of the council and its personnel has been elevated and strengthened to a remarkable degree. A Chicago alderman attends one meeting a week for ten months in the year or not to exceed forty-four meetings. In two years his duties require his attendance at eighty-eight meetings, for which he is paid $6,000. It is true that he frequently attends committee meetings during the week.

A member of the Legislature during the twenty-four weeks of the session that he spends in Springfield is also expected to attend committee meetings, some of which meetings last far into the night. Some of the legislators remain over and spend seven days a week in Springfield. On the whole a member of the Legislature spends more time in Springfield during the two years he is a member than does the Chicago alderman in the city council. Moreover the Chicago alderman is not compelled to leave his home or neglect his private business as is the legislator. His expenses of living are, therefore, much less than the expenses of the legislator and his private business does not suffer by his absence from home.

I am convinced that the raising of the salaries of the members of the Legislature will be conducive towards the selection of good legislators and the enactment of good laws.

The laborer is worthy of his hire. The labor of a legislator is of tremendous importance and if decent legislation is expected of decent men these decent men should be paid a decent wage. I am glad to know the views hereinabove expressed are entertained by the Legislative Voters' League, which has concerned itself for years with the character of the men in the General Assembly and the character of the laws of the State of Illinois. That organization has lately publicly announced that in the opinion of the League a salary of $3,500 for a member of the Legislature is reasonable and that the members of the Legislature were justified in voting therefor.

GOVERNOR VETOES MOTION PICTURE CENSORSHIP.

To the Hon. Lewis G. Stevenson, Secretary of State.

I hereby veto and return without my approval S. B. 382.

If this bill became a law, it would mean double taxation upon those engaged in the motion picture business in the city of Chicago.

Further, I can find no genuine demand for such a law in the State.

In my opinion such a law is unwise and unnecessary and I accordingly veto same.

Respectfully submitted,

E. F. DUNNE, *Governor.*

July 12, 1915.

EMANCIPATION EXPOSITION.

ADDRESS ON ITS OPENING, CHICAGO, AUGUST 22, 1915.

Mr. Chairman, Ladies and Gentlemen:

We meet today to demonstrate in the most conclusive manner the effect of freedom on the human race. We meet to prove the worthiness of the black man for equality under the law. Fifty years ago, within the personal memory of many of us here today, the black man, before the law, was a thing and not a man; a chattel and not a human being. That such could have been the law in any civilized country within the last half century seems incredible, yet it took a mighty war and the sacrifice of millions of human beings to wipe out this awful anomaly. What has been the result? Four million human chattels as the result of that war and the declaration of emancipation that resulted therefrom have developed into ten millions intelligent and peaceful, productive citizens of this Republic; four million illiterate, uneducated, propertyless human beings have developed into ten millions fairly well educated, property-owning citizens. I doubt if, in the history of the world, such tremendous progress has been made in so short a time.

"De profundis ad astra." From the depths of poverty and slavery, a race has arisen into the starlit heaven of prosperity and liberty.

In 1865, 90 per cent of the black race of America was wholly illiterate; today 70 per cent of the same race can read and write, and possess the education given by the grammar schools. The aggregate wealth of the four million black slaves in 1865 did not exceed a million and a quarter of dollars; today these black men and their descendants own a billion dollars worth of property. In 1863 there was but one college open to the black man in the United States; today he maintains successfully four hundred. In '63 there was not a black physician, lawyer or banker in the United States; today there are over five thousand. In '63 the black man had but one newspaper; today he has four hundred. In '63 he had but four hundred churches; today he worships God in over thirty thousand.

Within fifty years the black man has been developing skilled and scholarly men in all the professions. He has enriched literature by nearly six thousand books and periodicals, and given seven thousand compositions to the music of the world. Above all, and beyond

all, in so far as the rank and file of the colored race is concerned, he has been developing an aptitude for the tilling of the soil and the acquisition of the same. There, in the cultivation of his own soil, he becomes, in truth, his own master. The percentage of black farm owners and farm workers within the last decade has been enormously increased. The percentage of increase among the black men, strange to say, is nearly double the increase among the white men in the acquisition and development of the farm. All this development has gone on in spite of race prejudice, race hatred and, in many cases, in spite of unjust laws.

Let us then do honor where honor is due; let us congratulate our black fellow citizen upon the splendid progress he has made politically, religiously and economically. Let us extend to him the hand of encouragement and sympathy, and let us hope that the progress that he has made within the last half century, wonderful as it is, will be but the forerunner of the greater progress yet to be made in the years to come.

The wisdom, justice and humanity of the Great Emancipator, the martyred Lincoln, has been amply vindicated by the history of the black man during the last half century and will continue to be vindicated by the further progress of the race in the ages yet to come.

THE ABOLITION OF CAPITAL PUNISHMENT.

ADDRESS TO GOVERNORS' CONFERENCE, BOSTON, AUGUST 25, 1915.

Mr. Chairman and Gentlemen:

In 1901, there was convicted of murder, in the city of Chicago, one Synon; he was condemned to die.

His case was appealed to the Supreme Court which reversed the lower court, because of objectionable remarks by the trial judge while the accused was on the witness stand.

Synon's second trial was held in the court over which I had, at that time, the honor to preside. He was acquitted after many reputable men had testified that he was four miles from the scene of the crime when it was commmitted.

This man was saved by a few harsh and prejudicial words of the judge, before whom he was first tried; and thus the errors, upon which he was able to appeal, became the means through which it was possible for him to establish his innocence. Only those words, which the court had committed an error in uttering, stood between him and the death penalty, between justice and the cruel tragedy of which my State would have been guilty.

Only a year or two ago, Ray Pfanschmidt, a young man living near Quincy, in my State, was accused of murdering his father, mother, and sister and of burning the house over their dead bodies. He was convicted of the murder of his father and sentenced to the gallows. Fortunately, he was able to appeal to the Supreme Court where a new trial was granted. A change of venue was taken and in another county he was acquitted.

A few days ago one of our most honored judges, a man who has served our judiciary with splendid efficiency, resigned and retired, I am told, a disappointed and broken-hearted man. For nearly twenty years he has carried a growing burden of suspicion that two men he had sentenced to State prison for life were innocent. Twenty-two of the judges of Cook County, including this judge, have stated to me, in writing and by word of mouth, their opinion that these two men were not guilty. The records of the case, viewed in the dispassionate light of today, reveal strikingly flimsy evidence on which to convict of murder.

Our Legislature this year enacted a law making it possible to parole life men after they have served twenty years; and the first act under this new law was the release of these two men.

What a tragedy! What a stain upon Illinois' name would have been the execution of these two men if they had been senteneed to death. Even the ages could not have removed it.

It was such cases as these that have set me to thinking and investigating and my conscience, reinforced by the results of my inquiries, has made me a firm believer that capital punishment is wrong in theory and in act.

Before our last General Assembly I urged repeatedly the repeal of our capital punishment code, recommending it in my messages, and pleading for it in person before both houses of the Legislature.

The repeal bills failed, but I am quite sure the agitation they stirred up has had a marked and beneficial effect upon the State's conscience and has aroused and formulated a new public opinion. The press and the leaders among men and women engaged in the great humanitarian enterprises of our State rallied to the measure with a wonderfully inspiring spirit.

The principal argument advanced in support of capital punishment is that it acts as a deterrent. If I could convince myself that this were true, my views might be different. If society needed this awful penalty to protect itself, on the theory of self-defense, there might be some force and logic in the argument of those who favor its retention, because society collectively has the same right that a man individually has to protect its life.

I doubt if it ever did deter. I am certain that it does not now deter. On the contrary, all the evidences of history and of statistics are that it never did deter. We find on consulting our history that, in the days when the penalties for crime were the most severe, crimes themselves were the most numerous.

In England, in 1699, there was an agitation for penal reforms. At the beginning of the eighteenth century, Pope Clement XI established a juvenile prison. Over its doors appeared these words: "Clement, XI, Supreme Pontiff, reared this prison for the reformation and education of criminal youths and to the end that those who, when idle, had been injurious to the State, might, when better instructed and trained, become useful to society." Inside the prison, printed on a slab, were these words: "It is little use to restrain criminals by punishment unless you reform them by education."

Reforms lagged until 1728, when they were again urged with force. Chancellor Blackstone, in 1765, published his commen-

taries and laid before the English people the utter folly of awful and extreme penalties. Penal reform in our English system may be said to have begun then.

But even at the opening of the nineteenth century, the English criminal code was excessively rigid and bloody.

Parliament, in March, 1816, repealed the death penalty for larceny. At that time George Barnett, a boy of ten years, under conviction of larceny, was in Newgate prison awaiting execution.

Punishment by death at one time in England could legally be inflicted for more than two hundred different offenses. It was a capital offense to pick a man's pocket, to steal five shillings from a shop, to catch and steal a fish, to cut down a tree, to harbor an offender against the excise laws, to steal a sheep, or an ox or a horse, to commit larceny of almost any kind. Seventy-two thousand thieves were hanged at the average rate of 2,000 a year during the reign of Henry VIII. Some offenses at that time were punishable by boiling to death. One morning during the reign of George III, before the rising of the sun, in the city of London, twenty persons were executed for stealing from the person. In the year 1785, ninety-seven persons were executed in London for stealing from a shop to the value of five shillings.

Often the prisons were full of children, many under the age of ten, who had been informed upon for theft.

Neither the old Mosaic theory of retribution and revenge—an eye for an eye and a tooth for a tooth—neither that, nor degradation, whipping, branding, hanging, maiming, chambers of torture, broken bodies on the wheel, bones fractured on the rack, arms and legs suspended with heavy weights attached, the burning of the flesh and the searing of the skin with white hot iron, roasting the human bodies on slow fires, burial alive, tossing of the culprit into a den of wild beasts, pouring molten lead into the ears, placing men's faces upward to the flaming sun, tying by the seaside, so that drowning would follow the rising tide—all these have been tried and victims to these indescribable horrors have given up their lives by the thousands, and yet criminals did not become extinct, and I believe history will demonstrate that crime increased rather than decreased under these frightful penalties.

I am not going to attempt to support my arguments by elaborate quotations from statistics. There are certain figures, however, which are rather significant, if not conclusive. I refer to the statistics of the Federal Census Bureau of 1910, with reference to the effect of the death penalty upon the commission of murder. These statistics show that in twenty-one of the states having the highest number of homicides per capita in the population, there is not a single state that has abolished capital punishment. These

twenty-one are those which have enforced the death penalty from the time of their organization. Following these twenty-one states come three states, Illinois, Maryland and Kansas, all having the same number per capita of homicides. Of these states, Kansas has abolished the death penalty; Illinois and Maryland have retained it.

Let us now consider the twenty states which these statistics show to have the lowest number of homicides per capita. Among these twenty are all the states but one (Kansas) that have abolished capital punishment. The Federal statistics, to my mind, show that capital punishment has failed to act as a deterrent, and that in the states where it has been abolished, there is a less per capita of homicides than in the states where it has been retained. Go into Wisconsin, a state which borders upon ours. We, in Illinois, have had capital punishment since we were admitted to the Union, and, even while it was a territory, capital punishment was inflicted for murder. Wisconsin abolished this penalty years ago. Yet homicides per capita are almost twice as many in Illinois as in Wisconsin.

Up to 1913, six states had abolished capital punishment, Washington followed in that year. The United States statistics of 1910 show that five of these are among the twenty with the lowest per capita of homicides, each with a percentage less than .08 in each 10,000 of population. The other noncapital punishment state—Kansas—had the same per capita of homicides as Illinois and Maryland, both capital punishment states.

Illinois was disgraced by 651 homicides in 1910, after a century of enforcement of capital punishment, while in Wisconsin, where it had been abolished, the homicides have not been much over fifty per cent per capita, of those committed in Illinois.

If protection of society, if reformation of the criminal, if segregation of an antisocial element of our population, if either of these is the end or all of them are desired, then the separation from society of our criminals in decent, humane, wholesome, and Christian surroundings will accomplish all that we, as children of one Father, have a right to accomplish. He has not delegated to us further power or right over our fellows. The Holy Scriptures, so often quoted in support of retribution, commands the human race not to kill.

If it is wrong for one man to kill another, if it is a crime for three men to kill one man, or for a dozen men to kill one man, if it is a crime for one man to rape, is it not equally criminal for twenty men to kill one man or to commit this other unmentionable crime. The increase in number of participants and their organized embodiment, do not make it right or a virtue for them to kill or to rape.

Christianity long ago revoked the doctrine of a tooth for a tooth, and an eye for an eye. Christ prayed the Father as He saw the thief hanging by His side: "Father, forgive them, for they know not what they do." Christ Himself was suffering the lingering tortures of death at the hands of passion and fury. He did not seek the destruction of those who were murdering Him and the thief by His side, but He prayed that they should see and know God's truth.

Verily, God Himself has reserved to Himself the final penalty for the sins of His children.

Criminals have been divided into three classes: first, the instinctive criminal; second, the habitual criminal; third, the occasional or single offender.

The instinctive criminal cannot adjust himself to orderly and regulated environment. He is antisocial and alien in all his attributes, and is incapable, by reason of physical, mental, or moral deficiencies, the nature of which we do not fully understand, of getting out of a bad into a good environment or of improvement by training or education. Such men we have no more right to murder than we have to kill off the insane, the feeble-minded, the tuberculous, and others whose presence among us entails upon us responsibilities and financial burden.

The habitual criminal—the criminal by acquired habit—has developed out of environment and the social status in which he finds himself. Many of our crimes against both the person and property are the results of social mal-adjustments and conditions for whose existence society itself is solely to blame. Society has no right to the exercise of retribution—to the life of the offender—when it has denied him his natural and inalienable rights and, in fact, has compelled him to exist and develop in the midst of pinching poverty, degrading squalor and degenerating contaminations.

Some of the most frightful of the crimes by juveniles in our great cities may be traced directly to an environment which could not be expected to produce anything but the very worst.

Society itself becomes criminal when it seeks, by violence and the blood of its victims, to right a wrong committed against it by such product of its own neglect. For this class we cannot conceive of execution performing any function. The hanging of hundreds or thousands of them, even the massacre of their young, would not decrease the crime that springs from the slums and the tenements, so long as the slums remain under the tolerance of an intelligent society.

The third class includes the occasional or single offender—the normal individual, who, through stress of circumstances or force of temptation, or the unreasoning and unthinking pressure of passion, commits an evil deed. For him reformation is probable. He may be made a useful citizen, and society benefited by sparing his life.

Among the first and third classes there is no serious premeditation on the outcome of their acts. The first class commit crime because they cannot help it. Frequently they make little or no effort to conceal their tracks. They exhibit a certain form of precaution which is inherent in the instinct of self-preservation and not the intelligent mental systemization of concealment or alibi. The third class commit crime during stress or in passion; consequently they are not in a frame of mind to apprehend the effects of their conduct. The penalty, no matter how great or how severe, would deter neither of these types.

The other class—the habitual criminal, has probably tasted punishment, but notwithstanding how much has been inflicted upon him, he continues to return to his old ways, because society affords him no other. Consequently, the penalty has not deterred him. Punishment will not cure him, nor will it prevent, nor even retard others of his type from entering upon a like career.

So we are thrown back upon our only right and duty—that of protecting ourselves and society by a process of segregation, both of those who commit crime and of those who, under our modern scientific light, we are able to predict almost to a certainty will commit crime.

Another evidence that execution is not effective is afforded in the records of lynchings and mob violence. Whether these have occurred in the North or in the South, they have not had any appreciable influence in reducing crime of the character which aroused public fury. Lynchings and burnings at the stake are but too common today.

What community has profited by a reduction in crime following a lynching?

Punishment for political or religious belief has never hindered its progress. Christianity did not cease its remarkable strides because its early believers were thrown to the lions or were made torches to illuminate a Nero's festival; nor has political liberty been throttled by the execution of reformers. Fear of death has not halted the plans or dimmed the faith of good men who understood the consequences of their course. Why, then, should it affect men of evil minds who know nothing but evil and do it as naturally as good men do good?

My point is simply this, that in no age and among no people does history record that threat or danger of death have stopped men or women, bent on the accomplishment of some purpose; whether it has been good or bad, the conservation of human happiness and life or its wanton destruction. They have assumed all the chances and when they have failed, they have gone to their execution unflinching. This has been as true of the murderer as of the martyr.

Psychologists are trying to unfold to us the mysteries of what they call the subconsciousness. The operations of our imitative and imaginative spheres, we now fall back upon to explain, in a way, many things which heretofore have baffled solution. We frequently remark that crime goes in waves and suicides by epidemics. Even epilepsy is said to contain an element of imitation and habit; for in a class of these unfortunates, seizure, in one, will often be followed by seizures in many or all of them. There is a contagion of noise, of restlessness and disturbance, just as there is contagion of disease. It sweeps from individual to individual and soon sways a mob.

Who can say that an exhibition of mob passion and violence, in which property has been destroyed and life has been taken, has not irreparably damaged the whole community. Those of us who have studied a mob have been struck by its personal appeal, and we have seen one after another drawn into the vortex and taking part in the destruction without cause or reason. We have seen the mob spirit intensified and inflamed beyond expectation of control by the first deed of murder. Like the animal who becomes ferocious when he tastes blood, so the human, when aroused, becomes an unrestrained brute at the sight of blood. Men who watched the riots of a few years ago in the capital of our State have told me that not until the first life had been sacrificed, did the mob lose all restraint and enter upon a wholesale, extended and unreasoning debauch of fire and murder, which could not be stopped, except by great show of military power.

Of a similar type—perhaps invisible—are the effects of a legal execution upon the community. Its first and most debasing influence is upon those who witness it. The crowd about the scaffold is more fearful to contemplate than the struggles of the human wretch dangling to the rope. The morbid crowds, that stand without, compensate the absence of vision by stimulated mental pictures and imaginings which are equally degrading. The whole city for weeks feels a depression that is, in the last analysis, humiliation and remorse.

Too much importance cannot be attached to the argument that the capital punishment law operates against justice. How

many murderers go free because juries will not inflict the death penalty, though they have sworn to follow the evidence and the law and have declared themselves not to be opposed to it.

While it is true that the accused is entitled to his liberty, if there is doubt as to his guilt, it is equally true that many a jury is certain of his guilt, but lacks that degree of conviction which will support a decree of death.

Thus the tendency is always towards leniency and the number of judgments of deaths falls to an almost negligible quantity. What better evidence could we have of the presence of a widespread and deeply rooted conviction that the death penalty is wrong. Men say they believe in it, but they are exceedingly slow to apply it when they have the opportunity. Conscience—that still small voice that controls the human mainspring—rebels and they refuse to go counter to its admonitions.

Here occurs another argument against this penalty. After a period of leniency, in a community, some atrocious deed is done or there is a wave of crime, so-called. The populace becomes excited and demands the rigid enforcement of the law to the very letter; for recent events it calls for blood. The newspapers and the demagogue grow vociferous and mass meetings pass resolutions. The wheels of the law are speeded up and the first one or two accused of murder are sacrificed, after which affairs assume their old ways. Such instances are of common knowledge. They demonstrate very clearly that jurors trying men for their liberties and lives are not always dominated solely by their own conscience, the testimony and the law, but are influenced by extraneous forces, however unconscious they may be of it or careful they may be to act honestly.

Concluding, I want to call your attention to the attitude of those great spirits and hearts of our American leaders of humanity. Our literature, our science, our art, our religion, teem with righteous protest against the so-called legal execution of our fellow men. Those who have led us into the clearer lights of duty and responsibility have, without exception, plead for the abolition of this hideous disgrace and bloody inheritance from a brutal age.

Lincoln wrote: "God helping me, I will never sign the death warrant of any man so long as I live"; Bryant, "I am heartily with you in your warfare against the barbarous practice of punishment by death"; Whittier, "I do not regard the death penalty essential to the security and well being of society. Its total abolition and the greater certainty of conviction which would follow would tend to diminish rather than increase the crimes it is intended to prevent"; Longfellow, "I am and have been for

many years an opponent of capital punishment''; Horatio Seymour, ''I am decidely in favor of the softening of the criminal code''; Dr. Benjamin Rush, ''The power over human life is the sole prerogative of Him who gave it. Human laws, therefore, are in rebellion against this prerogative when they transmit it to human hands''; Father Matthew, ''I have been thirty years in the ministry and I have never yet discovered that the founder of Christianity has delegated to man any right to take away the life of his fellow man''; Henry Ward Beecher, ''In our age there is no need of a death penalty, and every consideration of reason and humanity pleads for its abolition''; Wendell Phillips, ''The gallows should be abolished altogether.''

I might continue to quote for a day, but leave these thoughts with you as examples of the aspirations of the leaders of humanity.

The cold-blooded enforcement of this awful penalty, under the forms of law, is brutal and abhorrent and wrenches the decent sensibilities of every public official who, by an act or omission, is required to participate in it, including the jurymen who imposed the penalty, the judge who directs its execution, the Governor who refrains from clemency, the sheriff who superintends the hanging, and the miserable unknown human tool who cuts the rope. It degrades and demoralizes, depresses with remorse and humiliation the community in which it takes place. It lowers the level of the finer instincts and is fraught with the ever present danger that a life is being sacrificed to the fallibilities of the human mind and conscience.

As the Executive of a great commonwealth, I come before you today, the governors of sister states, to plead with you to give this subject your honest thought and faithful consideration.

The tendency of modern government in highly civilized communities is slowly and surely toward the abolition of capital punishment. Italy, Holland, Switzerland, Belgium, Portugal and Roumania have abolished it. In the United States it has been abolished in Kansas, Maine, Michigan, Minnesota, Oregon, Rhode Island, South Dakota, Washington and Wisconsin.

Ought we have still upon our statute books the penalty that takes human life under the forms of law, or keep pace with the progress of events, particularly as the records show that it has ceased to act, if it ever did, as a deterrent of grievous offenses?

ON PREPAREDNESS FOR WAR.

ADDRESS AT GOVERNORS' CONFERENCE, BOSTON, AUGUST 27, 1915.

Mr. Chairman and Gentlemen:

Since the commencement of the tremendous war now waging in Europe, and the danger of our country being embroiled therein, all classes of people in the Republic have been seriously considering the unpreparedness for war which seems to exist in our country.

From the bellicose jingo who would involve this country in a foreign war upon slight provocation to the peace-at-any-price citizen, all of us have been seriously considering the question as to whether our military and naval armament ought not be increased at least for defensive purposes. That we have in the United States at the present time, in comparison with the great nations of Europe, but a meager force of soldiers and sailors cannot be denied.

The Army of the United States consists of but one man in each one thousand inhabitants, while in the British army there are seventeen soldiers to each one thousand inhabitants; in Russia twenty-eight to each one thousand inhabitants, in France thirty-four to each one thousand inhabitants, in Germany fifty-one to each one thousand inhabitants, and in Italy fifty-seven to each one thousand inhabitants.

As to whether our Army should be increased at least for defensive purposes there does not seem to be much doubt among thoughtful men. Whether the increase must be in the nature of a standing army or an increase in citizen-soldiery is a question about which there is room for legitimate debate.

The advocates of a large standing army in the United States in the past have been few and far between. The isolation of our Republic from the great warlike nations of the earth, its separation from them by thousands of miles of ocean, and its location on a different hemisphere has given us in the past a feeling of security and a confidence in immunity from attack, but the tremendous progress in military and naval armament as disclosed by the present European war proves that this feeling of security cannot be much longer entertained. Steam and electricity and the marvelous development of modern men-of-war, cruisers and submarines have

produced such a revolution in the intercourse between nations that the isolation which we have enjoyed in the past under obsolete conditions no longer prevails.

If war were to be declared against this country by one of the six greatest nations of Europe it must be conceded that the United States in its present condition of land and naval forces would be in a sorry predicament. For offensive warfare our land forces are so small as to be regarded with ridicule. Our naval armament might succeed for a time in damaging cities and fortifications upon the sea coast of a possible enemy in Europe, but separated so far as we would be from the base of supplies such offensive naval warfare could not be of lasting duration.

In defensive naval warfare, we might for a time make a creditable showing upon our own coasts; but if any of these great nations should effect a landing of any considerable army, for weeks at least such an invasion would be practically unopposed. This serious situation of affairs has given even the most ardent advocate of peace between the nations grave concern.

While we in the United States are honestly and ardently sincere advocates of peace between the nations and while we have no lust of conquest and no desire to be involved with any other nation, we must conclude that we are sadly and grossly unprepared even for a defensive war. For the protection of the autonomy of the Nation we ought then to be in a better state of preparedness and ought to have a larger force of men trained for military purposes. Must this force necessarily be a large standing army thus imposing burdens of taxation upon the Nation that it has hitherto been unaccustomed to? I do not think an enormous standing army is essential for the protection of the Nation and the preservation of its autonomy. A citizen-soldiery brought this Republic into being, a citizen-soldiery in the main has carried on three wars successfully with other nations, and a citizen-soldiery in the main saved this Republic from dissolution in one of the greatest revolutions in history, and I know of no reason why with an adequate navy, super and submarine, that a citizen-soldiery of land forces cannot be the main reliance of this Republic at the present.

A large standing army has been and always will be an enormous expense to any nation. I think I am within the bounds of truth when I claim that it costs this Nation at least six hundred dollars a year to feed, clothe, equip and pay each enlisted soldier. The wages in the United States Army vary from fifteen to ninety-nine dollars per month, outside of clothing, food and equipment. If we were to increase our standing Army from one hundred thousand men to one million men, it would, therefore, cost us six hundred millions of dollars a year to pay these soldiers their wages,

and feed and equip them. If we were to maintain a standing army in proportion to population such as Great Britain maintained before the outbreak of hostilities, it would cost us nearly one billion two hundred millions of dollars a year. Such a frightful increase in the burdens of taxation which would be occasioned by the maintenance of such an army in the United States must give serious concern to all citizens contemplating such a prospect.

There is another alternative. It is the citizen-soldiery of the Nation. Not such a citizen-soldiery, however, as is now maintained in the National Guards of the different States. The present militia of all of the different states of the United States is wholly inadequate for the defense of the Nation. In 1913, the total militia of the National Guards of all the States aggregated approximately one hundred and twenty thousand men. Such a number of men would be wholly inadequate for the defense of the Nation in case of war with any first-class power.

To rely upon the Regular Army of one hundred thousand men, and a militia of one hundred and twenty thousand men in case of war with a first-class power would be an act of supreme folly. The citizen-soldiery of the Republic must be reorganized, regenerated and enormously increased. There should be at least a body of citizen-soldiery trained to the use of arms, organized and maintained throughout the different states of the United States in the aggregate of at least two million men. How can this be accomplished without imposing too great a hardship upon its members and upon the taxpayers of the Nation? It can be accomplished by the adoption of two measures.

First. By requiring every college and university in the United States which receives from any State or from the Federal Government any support or appropriation of money, to give a military training to its students during the four years of the university or college course. As part of the physical and mental education of the student, he should be compelled, if in such an institution, as part of his curriculum, to devote sufficient time to enable him to become a well-informed soldier in time of war. That this can easily be accomplished is proven by what has already been accomplished in some of the universities.

Years ago the Federal Government made land-grants to the University of Illinois, requiring as one of the considerations therefor a regular military drill among its students. Today at Urbana, Illinois, the seat of this university, there are among its five thousand students eighteen hundred fairly well drilled young men who have received a military training under the supervision of the Federal officer detailed for that purpose. Next year there will be about two thousand of these young men who will be receiving

such a training. I am informed that there are sixty land-grant colleges and universities in the United States where doubtless such provisions are being, or should be, enforced.

The military training given these young men, however, at the present time is meager and inadequate. It is difficult to secure from the Federal Government sufficient trained officers to give them the thorough military training that they might receive if properly officered. Only one trained Federal officer is detailed to the great University of Illinois to give military training to nearly two thousand young men. The system should be changed. At least one officer, a West Point graduate with years of training, should be detailed to every five hundred men in such colleges and universities. The Federal Government, moreover, should provide funds and scholarships for the training of young men to become military officers in these institutions.

I am assured by President Edmund J. James of the University of Illinois "that if the Federal Government would provide funds and grant scholarships to the amount of say one hundred and fifty dollars a year or two hundred dollars a year for every student in one of these institutions who would take the regular four-year course of military instruction and drill, which could be taken right along with the other course in the University by extending the course say from four years to five, it would be possible to graduate from the University of Illinois, for instance, anywhere from one hundred to two hundred men who would compare very favorably in their general education and specific training with the graduates at West Point."

One of the greatest needs of the British and Russian armies at the present time is their need of trained officers to take charge of the enlisted men. We should profit by the examples furnished in this awful war now prevailing in Europe. For defensive purposes at least we should have an adequate number of well-drilled men, graduates of our educational institutions who could in case of war take charge of and whip into shape the soldiers who would fly to the defense of their country's integrity.

Another method of increasing the numbers and efficiency of our State militia would be for the Federal Government to make more liberal appropriations for the maintenance of the same. Under the present Federal law, each state receives from the Federal Government the tents, uniforms, arms and equipment used by its militia. No wage is paid the militiamen by the Federal Government. The only wage or compensation that the militiamen in the State of Illinois receive is one dollar a day while actively engaged in maneuvers or when called out for public duty in case

of a riot or other emergencies. On the average the militiaman in the State of Illinois does not receive to exceed fifteen dollars a year, and that only when he is in active service.

This beggarly allowance is not attractive to the ordinary farmer, mechanic or clerk. If he joins the militia he is expected to give at least one night a week for drilling purposes in his armory. This continues throughout the entire year, and for this one night a week he receives not one cent of compensation. The young men who join the National Guard are those who do so for patriotism or love of military association. The surprise is that there are sufficient young men throughout the different states who are willing to give so much of their time without compensation

All of this should be changed. I believe that any young man who is willing to join the National Guard and become a citizen-soldier should be reasonably compensated for the time that he spends in fitting himself to become a soldier as he would in any other occupation. If a militiaman were paid one dollar for every night that he spent in military training in his drill hall or arsenal with a provision that he would receive no compensation unless he attended at least forty nights during the year, I believe that the National Guard in the State of Illinois, upon such a basis of remuneration, would be increased within one year from the eight thousand militiamen that we now have to one hundred thousand, and I believe that this is true of all of the other states in the Union. Instead of a National Guard of one hundred and twenty thousand men throughout all of the states of the Union I believe that we could easily secure men at such compensation to the number of from one and a half million to two million men throughout the United States. If this could be accomplished let us compare the burdens that it would impose upon the public with the burdens that would be imposed by maintaining a standing army of the same number.

If each militiaman were paid at the rate of one dollar a night and the National Guard should be increased to the number of one million men, at forty dollars per year, the aggregate cost would be forty million dollars per annum. If a million men in a standing army were maintained by the United States it would cost six hundred dollars per year per man, the cost in the aggregate being six hundred million dollars. In other words, the Federal Government under such a plan could maintain a militia of one million men ready to respond to the country's call in time of war for five hundred and sixty million dollars less than it would cost to maintain a standing army of the same amount of men.

I am not, and never have been, an advocate of a large standing army in this Republic, but I do believe that the time has come

in the history of this Nation when it must be prepared for defensive purposes, and to have at least one million men within its borders with military training so they can become the Nation's defenders if the life of the country is assailed.

When I was in Switzerland fifteen years ago I marvelled at the number of trained soldiers that I saw in the little republic, and I asked a native why it was necessary in such a peaceful republic to maintain so formidable a force of men, to which he replied: "These men and our mountains are our only safeguards against aggression. We can only maintain our independence by having these men in readiness against possible invasion."

Let us be prepared to protect the life of the Nation from aggression from abroad, not by a standing army, at least at present, but by a trained citizen-soldiery that can be maintained without imposing unduly onerous burdens upon the taxpayers of the Nation. As between the Chinese republic with its four hundred million inhabitants, without any efficient army, cowering before the militant empire of Japan with its seventy millions population, but with an efficient army, and the little republic of Switzerland standing among the warring nations of Europe and protecting its independence by a trained soldiery, let us rather incline to the fortunate situation of Switzerland that can assert its independence and neutrality in the midst of its warring neighbors.

THE HONOR SYSTEM IN ILLINOIS PRISONS.

CORRESPONDENCE AND RECOMMENDATIONS, AUGUST, 1915.

In Governor Dunne's inaugural address February 3, 1913, before the Forty-eighth General Assembly of the State of Illinois, he said:

"Provisions also should be made for the employment of the inmates of our penitentiaries in road work. Primarily, convicts should be used for the preparation of material, either at the penitentiaries, or at camps, established near natural deposits of stone, gravel or other material. In the actual construction of highways, when it becomes necessary, short term prisoners should be employed on an honor system, such as prevails in Colorado. Humanitarian reasons underlie the employment of convicts in the open air work of this sort. The problem of what is going to become of the paroled or discharged convict is largely solved if he is released, healthy in body and in mind, and not debased by associations formed in the debilitating environment of cells and prison workshops.

"Psychological and physiological considerations enter into the employment of men, on an honor system, in the fresh air and sunshine, wherein and whereby they are restored to society with their manhood quickened instead of deadened, or destroyed."

ADVISES WARDEN ALLEN TO STUDY HONOR SYSTEM IN COLORADO.

In a letter dated August 6, 1913, Governor Dunne directed Warden Edmund M. Allen to investigate the Honor System in Colorado, which letter is as follows:

"Your letter of recent date to hand. I wish to put in action at the earliest possible moment that scheme of placing convicts on the roads for road making. If you deem it necessary to go to Colorado, do it at once so we can get to work on the matter."

LAW ENACTED ON RECOMMENDATION OF GOVERNOR DUNNE.

The original law passed by the Forty-eighth General Assembly permitting convicts to be employed on the highways, was

introduced at the Governor's suggestion and passed through the efforts of his friends, which law was amended in the Forty-ninth General Assembly, again by the efforts of Governor Dunne's friends—the essential features of which law and amendment are as follows:

"Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the commissioners of the Northern Illinois Penitentiary, commissioners of the Southern Illinois Penitentiary and the Board of Managers of the Pontiac Reformatory of the State of Illinois are hereby authorized and empowered to employ convicts and prisoners in the penal and reformatory institutions of this State who are sentenced for terms of not more than five years, or who have not more than five years to serve to complete their sentence in working on the public roads or in crushing stones or preparing other road building materials at points outside the walls of the penal or reformatory institutions."

The amendment of the above law went into effect July 1, 1915, and allows prisoners to be employed as above regardless of the time to be served in prison, and reads as follows:

"That the commissioners of the Northern Illinois Penitentiary, the commissioners of the Southern Illinois Penitentiary, and the Board of Managers of the Pontiac Reformatory of the State of Illinois are hereby authorized and empowered to employ convicts and prisoners in the penal and reformatory institutions of this State in working on the public roads or in crushing stones or preparing other road building materials at points outside the walls of the penal or reformatory institutions. Upon the written request of the commissioners of the highways of any township in counties under township organization or the commissioners of highways or boards of county commissioners in counties not under township organization, said penitentiary commissioners, and Board of Managers of the Pontiac Reformatory shall detail such convicts or prisoners as in its judgment shall seem proper, not exceeding the number specified in said written request, for employment on the public roads or in the preparation of road building material in the township, road district, or county requesting the same on such terms and conditions as may be described by said penitentiary commissioners or the Board of Managers of the Pontiac Reformatory."

LETTER GIVING EXTRA TIME FOR LABOR UNDER HONOR SYSTEM.

On August 22, 1913, the first law for convict labor having gone into effect on July 1, of that year, Governor Dunne, by letter,

directed Warden Allen to announce to prisoners under the system the plan by which they were to get one day in three. This letter, which was read at Chester and Joliet, is as follows:

"Pursuant to my inaugural message, the Legislature has wisely passed a law permitting the utilization of convicts whose unexpired term of imprisonment does not exceed five years, upon the public roads of the State of Illinois, in the way of improving the public highways.

"This humane measure, in my judgment, will permit many convicts to be engaged in healthful occupation, which will work to the material betterment of these convicts.

"The law does not provide specifically for any reward to convicts employed in this manner, but in my discretion as the possessor of the power of pardon and commutation, I have reached the conclusion that all convicts so employed should receive in addition to the good time now allowed them by law a further reward for honest and industrious work thus performed upon the public roads of the State.

"You can announce to the inmates of your institution that I shall commute the sentence of all employes engaged in this work whom you report to me have honestly and efficiently worked upon the public roads of this State on the following basis: For every three days work honestly and efficiently performed on the roads in the State, I shall commute the sentence of the convict so performing such work to the extent of one day.

"In other words, for every three days work performed the convict shall receive by executive clemency a reward of one day. The convict so employed for three months shall receive a commutation of one month. The convict so employed for three years shall receive a commutation of one year.

"You are hereby directed to read this letter to the convicts of your institution at your early convenience."

ON LETTER WRITING IN PRISONS.

On October 17, 1913, Governor Dunne addressed the following communication to Warden Allen relative to the letter writing privileges, which reads as follows:

"A printed pamphlet purporting to be a report of the Superintendent of the Arizona State prison, of February 1, 1913, has been forwarded to me, in which a comparative statement is made of the privileges given to convicts in the different penitentiaries of the different states, in relation to receiving and writing letters.

"From this pamphlet it would appear that the rule in Illinois permits the convicts to write one letter every five weeks, and

that they are allowed to receive all the letters sent them. One daily newspaper is allowed them, also the current magazines and periodicals.

"This regulation with reference to the writing of letters by the prisoners seems to be much more stringent in Illinois than in almost any other state in the Union. Virginia seems to be the only state that has a more stringent rule, and there they permit the prisoners to write one letter only every two months.

"I am enclosing herewith a summary of the regulations made in the different states.

"Would it not be wise in your institution to establish a rule permitting the convicts with good records to write a letter once a week? The convicts with records not perfect one letter in two weeks, and the convicts that have black marks should be only permitted to write one letter a month.

"I submit the matter for your consideration and advice. Please let me have your views thereon."

WARDEN ALLEN'S REPLY.

The following reply from Warden Allen was received December 11, 1913:

"Replying to your inquiry of yesterday, as to whether there is any limit upon the number of letters that inmates may write when they are permitted to write, I will say; that our rules permit inmates in the first grade to write one letter each week. Those in the second grade once in two weeks, while those in the third grade write once in five weeks.

"If there are any special reasons for writing more than one letter in any of the grades permission is always given the inmate to write as many as the situation may call for.

"Trusting this will give you the information desired, I am."

WARDEN ALLEN'S REPORT ON WORKINGS OF HONOR CAMP.

On August 29, 1913, Warden Allen reported to Governor Dunne concerning the workings of the honor system for the first honor camp which had been sent out as follows:

"I beg to advise that pursuant to your wishes, the men for our first road camp have been selected, and will leave for Dixon, Lee County, early Wednesday morning, September 3.

"I am absolutely confident of the outcome of this grand policy of yours, and beg to assure you that in my judgment it is the greatest step in the right direction ever taken in Illinois toward solving the great question of convict labor."

WARDEN ALLEN'S REPORT ON ALL HONOR CAMPS.

On December 19, 1914, Warden Allen made the following report to Governor Dunne:

"The first road camp was established at Grand DeTour, a village near Dixon, Illinois, and was called Camp Hope. Work was commenced September 3, 1913, and fifty-one honor men were sent from the penitentiary to this camp. A road was cut through a hill three-fourths of a mile long, and one mile of grading was completed. No stone was used. This work was finished February 10, 1914. The honor men endured the rigors of a severe winter housed in tents furnished by the Adjutant General's department. Immediately after the work was completed, camp was broken and the men proceeded to the Joliet honor farm where they spent the balance of the winter and spring in regulating and grading the roads in and about this farm. Of these fifty-one honor men, fifteen have had their sentence commuted; four were paroled; seven returned to the penitentiary; twenty-five were scattered among subsequent road camps and not one escaped. I did not receive from the superintendent of this camp a single complaint against one of these men. There were no punishments; no deprivation of privileges and not one censured. No compensation was received for this work on account of there being no appropriation to meet the expense.

"The next road camp was established at Starved Rock, near Ottawa, Illinois, and was called Camp Dunne. Work was commenced April 27, 1914. In all, seventy-two honor men were assigned to this camp. A deep cut was made through earth and rock, and one mile of grading was completed. From Starved Rock this camp was moved August 20, 1914, to Mokena, Will County, Illinois, where one and one-half mile of macadam roadway was completed in twenty-six working days at a cost of $3,000. This work consisted of regulating and grading the existing roadbed, and the laying of an eight-inch base of crushed rock twelve feet in width topped with a three-inch dressing of fine stone thoroughly compressed with road rollers. From Mokena, the camp was moved to Frankfort, Will County, Illinois, where the men are employed constructing a roadway similar to that built at Mokena, two miles in length and will finish this work on or about December 22, 1914. Of the seventy-two honor men assigned to this camp, twenty-four have had their sentence commuted; four returned to the prison; three escaped, one of whom was recaptured, leaving forty-one men still at work at Camp Dunne. This work cost approximately $3,500 per mile, or about $500 per mile

less than at Beecher. This is accounted for by the difference in the length of haul for stone, and I might add that the cost of haul enters largely into the cost of construction.

"The next camp was established at Beecher, Illinois, and was called Camp Allen. Work was commenced June 15, 1914. Sixty-five honor men were assigned to this camp. In all, fourteen miles of macadam roadway was built. This work was finished November 24, 1914. The work consisted of regulating and grading the existing roadbed and the laying of an eight-inch base of crushed stone varying in width from ten to twelve feet with a top dressing of fine crushed stone thoroughly compressed by road rollers. Of these sixty-five honor men sent to this camp, thirteen have had their sentences commuted; one paroled; two returned to prison, and the balance—forty-nine—transferred to work upon the switch grade at the honor farm during the winter. There was not an escape from this camp. No punishments, no complaints nor deprivations of privileges. I have been unable to obtain any definite figures as to the cost of this work, but am of the opinion from what information I could gather that the road cost approximately $4,000 per mile.

"February 27, 1914, the Joliet honor farm was opened up. This is the land which was purchased by the new prison commission for a site upon which to erect a new prison to supersede the one now in use, and to be constructed along the same lines, with the exception that it was to be larger, more sanitary and built in such a manner that escapes would be reduced to a minimum. The Board of Commissioners took over one thousand acres of this property for the purpose of cultivation and to give outdoor employment to our honor men. In all, 125 men have been transferred to this farm, of whom twenty-four have had their sentences commuted; nine returned to the prison; two paroled and nine transferred to the road camps, leaving sixty-one of the original number still at the farm for operating purposes. This number is exclusive of the road men that have been transferred to work there. Two hundred and fifty acres were sown with oats, and two hundred acres were seeded at the same time with timothy and clover. Forty acres were seeded with alfalfa, making the largest field of alfalfa in the county."

THE LIFE OF JOHN PETER ALTGELD.

ADDRESS, UNVEILING HIS MONUMENT AT CHICAGO, SEPTEMBER 6, 1915.

Mr. Chairman, Ladies and Gentlemen:

Robert Emmet said: "A man dies, but his memory lives." This is intensely true of the man whose statue the State of Illinois unveils today. The man Altgeld is dead, but his memory lives and will continue to live for generations yet to come.

It was my proud privilege to have known him personally and to have been counted among his friends, and in speaking of him I know whereof I speak.

He was ever a friend of the common people and his heart was ever full of sympathy for the poor, the lowly and the oppressed. His vigorous voice and powerful pen were ever at the disposal of this class of his fellow citizens. He was the enemy at all times of boodlers and corruptionists. He fought them in his own party and outside of his own party. He never hesitated to denounce a corrupt man in politics, no matter what label he bore or what ticket he voted.

Preeminently he had the courage of his convictions. He upheld the right and denounced the wrong at all times, under all circumstances and in every place. I know of no man who occupied a position in the public life of this State who had greater moral courage.

He believed the conviction of the anarchists was the result of a mob's demand, although the mob was clothed in purple and fine linen. When he was elected Governor of this State he had the courage to do what was a most unpopular thing at the time—to pardon the anarchists then confined in Joliet. In so doing he was not content to perform the official act, but went further and gave his reasons in a public declaration which, because of its courage and force, startled the whole community.

His moral courage was again displayed at the time when President Cleveland, without a request from the Governor or Legislature of this State, or the mayor of this city, sent Federal troops into the city of Chicago for the purpose of suppressing riot. Governor Altgeld believed that this act of the President was a violation of the Constitution of the United States and the State of Illinois, and

holding that belief, he courageously and vigorously protested against what he believed to be an unwarranted act, even though it were committed by the President of the United States.

He was absolutely incorruptible and vigorously honest. When elected Governor of this State he was reputed to be and was a very wealthy man. But his devotion to public interests compelled him to neglect his private business and during his term of office he became seriously embarrassed financially. Yet in spite of his financial embarrassment, this man had the resolute honesty and ironlike integrity which impelled him to refuse a bribe of half a million dollars.

I know of no man in public life who was so thoroughly devoted to the cause of human liberty, whether it was in his own land or in the land of strangers.

He volunteered as a private soldier in defense of liberty during the Civil War. He fought through that war for the country of his adoption. His voice was often heard in sympathy with the struggling people of Ireland and Poland. During the Boer war thousands heard his powerful and eloquent pleas in behalf of the struggling people of South Africa. Indeed, it might be said that he gave up his life in behalf of the struggling Boers, for on the night of his death and just before he collapsed he delivered one of his most eloquent speeches in behalf of the struggling burghers of South Africa.

Of him it might well be said:

> "Whether on the scaffold high,
> Or in the battle's van,
> The fittest place where man can die,
> Is where he dies for man."

And yet, this man whose heart went out to the suffering, the weak, and the oppressed, this man who fought to preserve the liberty of his own country and who spoke for the liberties of other peoples, this man who during his whole life was honest and incorruptible, this man who advocated naught but justice and truth and equality and liberty for all men, was probably more maligned, misrepresented and vilified than any man that ever appeared in the history of this State.

Because he stood for the common people in their struggle to maintain human rights as against capitalized privilege, he became the target of a scandalous and mendacious press, and against him was directed all the calumny and invective of which it was capable. These indecent and unjust attacks upon him made the people cling to him during his life and make them now

revere and honor his memory. The sovereign people of the great State of Illinois, in the erection and dedication of this monument, now make reparation and do honor to his memory.

Men have risen to prominence and achieved distinction during the thirty years that I have lived in this city. Great merchants have amassed their millions and passed away to the great beyond. Eminent lawyers have risen to high rank in their profession and left their impress in the courts. Skilful surgeons have occupied the public attention, achieved distinction and gone their way. But I know of no man, who has lived and worked and died in the city of Chicago, that has left such a powerful impress upon its history and the history of Illinois, or whose memory is now and will continue to be more revered than John Peter Altgeld, to whose honor the State of Illinois unveils this statue here today.

But he has left behind him a monument greater than this monument of stone and bronze. As the years roll by and the physical shape of Altgeld is falling into dust and fading from the memory of those who knew it, the historical figure of Altgeld looms, through the vanishing fog of misrepresentation, larger, clearer and grander. His works and words are preserved in history and make for him a monument in the hearts of all men and women who love truth, justice, humanity and courage.

Well may it be said of this great friend of the weak and lowly, who offered his life for his country at 16 and sacrificed it for humanity at 55, in the words of the poet Pope:

> **"Statesman, yet friend to truth, of soul sincere,**
> **In action faithful and in honor clear."**

DEFENDS CONVICTS WORKING ON ROADS.

To the Manufacturers News, Chicago, September 13, 1915.

A clipping from your paper contains a flippant editorial in which you say "We should like to ask Governor Dunne under what statute the men (convicts working the roads) are taken from the penitentiary, given the rights of citizenship and the practical liberty of the prodigal son?"

For your information the Governor will state that they have not been given the rights of citizenship, nor the practical liberty of the prodigal son. They are still unpardoned convicts, denied the ordinary rights of citizenship, but permitted under a humane law, prepared by myself and recommended for passage to the Legislature, and passed by that Legislature June 28, 1913, to do honest and healthy work for the State. (Page 581, session laws of Illinois, 1913.)

ON THE OPENING OF THE DIXIE HIGHWAY.

ADDRESS BY GOVERNOR DUNNE AT DANVILLE, ILL., OCTOBER 9, 1915.

Mr. Chairman and Gentlemen:

The two main essentials for the future development of the State of Illinois are the development of its highways and waterways. Although this State is the first in agricultural development, first in railway development, second in the production of all wealth among the states of the United States, third in population and commercial and political importance, and third in nearly everything in which she is not first or second, there is one notable exception.

Among the states of the United States, Illinois is twenty-third in the development of her highways. This is not only a disgrace to the State, but a limitation upon its future development of a serious character.

Even without decent highways the land of the State of Illinois, per acre, is worth nearly three times the average of the land of the United States. What would be its value if its roadways were developed? Probably four or five times the average value of the land of the United States. It is time, therefore, that the State of Illinois should arouse itself from its lethargy in the way of road building. It is the duty of every citizen to become interested in the road development of our State.

Within the last two years, however, I am glad to say that lethargy is disappearing. Men who two years ago in the State of Illinois opposed the levying of taxation for the improvement of highways today have become warm converts to road development and favor the issuance of bonds and liberal taxation for road development.

Every prosperous farmer in the State now owns his automobile and is contemplating the use of tractor plows and tractor machinery. The improvement of the roads will enable the farmers to market the products of their farms cheaper and more quickly and will lessen the cost of hauling the same to the railroads. This cheapening of cost in getting his products to the markets naturally increases the value of the farmer's land.

For every dollar that he pays in the way of taxation for the improvement of roads in his county, in my judgment, it will be returned to the farmer ten-fold in the enhanced value of his farm.

Let us then all participate in the movement for the development of good roads in our State and for connecting our State with the other states of the Union. The Dixie Highway is a movement in this direction and a sane and sensible one, and I am here today to indicate that the administration of the State of Illinois is in favor of the Dixie Highway and all movements looking towards the speedy and sensible development of the highways of our State.

ON A CITIZEN SOLDIERY.

ADDRESS DEDICATING NEW ARMORY, QUINCY, ILLINOIS, OCTOBER 12, 1915.

Mr. Chairman, Ladies and Gentlemen:

It gives me pleasure, as Chief Executive of this State, to be present and participate with you in the dedication of the new armory erected for the purpose of housing the National Guard in your city.

At no time in the history of this country has there been greater necessity of liberality of treatment of the citizen-soldiery of the Republic. For over a century it has been the policy of this Republic to discountenance the creation of a large standing army. Isolated, as this Nation has been by two oceans from the great military nations of the world, we have been developing the arts of peace and not the science of war.

We have rested secure in the belief that, because we had no national lust of territory or conquest upon this continent, no quarrels with the other nations of the world and no occasion to build up a formidable military armament, we could proceed along the even tenor of our way, developing the industries of the country and relying upon immunity from assault by reason of our isolation.

During the progress, however, of the great conflict now raging in Europe, it has been brought home to us that the tremendous development of naval armaments, particularly has placed this country in a position where it can be assaulted from abroad probably within two weeks after a declaration of war. That our isolation has become a thing of the past, and that in the event of a declaration of war upon us by any of the first-class powers of the world we would be in a lamentable state of unpreparedness for defense, is not doubted by many.

The enormous wealth of the country and its military unpreparedness in themselves create a temptation for any first-class power to act with insolence and aggression towards this country in the event of diplomatic misunderstanding. This situation is being brought home upon the minds of the American people with tremendous force as the European war progresses and we watch the great strides made in the science of modern warfare.

Our country is rich with factories in which the modern implements of war can be turned out with great rapidity, but all of these factories are located within a radius of one hundred and fifty miles of New York City, and upon the eastern seaboard. With the tremendous naval equipment now possessed by some of the first-class powers of the world and with the tremendous standing armies that they now have, fully equipped for modern warfare, in case of difficulty between this country and any of these great nations, it is claimed by some military experts that a modern, well equipped army of two or three hundred thousand men could be landed upon our eastern seaboard within thirty days after a declaration of war.

The gravity of the situation has forced upon the American people the contemplation of what steps should be taken to place this Nation in a state of reasonable defense against possible invasion. But few of us believe that even in this situation there is any justification for the creation and maintenance of a large standing army. Its cost would be intolerable and its advocacy unpopular to the American mind, but that our present state of unpreparedness must be altered I think cannot be doubted by any thoughtful person.

From the bellicose jingo who would involve this country in a foreign war upon slight provocation to the peace-at-any-price citizen, all of us have been seriously considering the question as to whether our military and naval armament ought not be increased, at least for defensive purposes. That we have in the United States at the present time, in comparison with the great nations of Europe, but a meager force of soldiers and sailors cannot be denied.

The Army of the United States consists of but one man in each one thousand inhabitants, while in the British army there are seventeen soldiers to each one thousand inhabitants; in Russia twenty-eight to each one thousand inhabitants, in France thirty-four to each one thousand inhabitants, in Germany fifty-one to each one thousand inhabitants, and in Italy fifty-seven to each one thousand inhabitants.

As to whether our soldiery should be increased, at least for defensive purposes, there does not seem to be much doubt among thoughtful men. Whether the increase must be in the nature of a standing army or an increase in citizen-soldiery is a question about which there is room for legitimate debate.

If war were to be declared against this country by one of the six greatest nations of Europe it must be conceded that the United States in its present condition of land and naval forces

would be in a sorry predicament. For offensive warfare our land forces are so small as to be regarded with ridicule.

We are sadly and grossly unprepared even for a defensive war. For the protection of the autonomy of the Nation we ought then to be in a better state of preparedness and ought to have a larger force of men trained for military purposes. Must this force necessarily be a large standing army, thus imposing burdens of taxation upon the Nation that it has hitherto been unaccustomed to? I do not think a large standing army is essential for the protection of the Nation. A citizen-soldiery brought this Republic into being, a citizen-soldiery in the main has carried on three wars successfully with other nations, and a citizen-soldiery in the main saved this Republic from dissolution in one of the greatest rebellions in history. I know of no reason why with an adequate navy, super and submarine, that a citizen-soldiery of land forces cannot be the main reliance of this Republic in the future.

A large standing army has been, and always will be, an enormous expense to any nation. I think I am within the bounds of truth when I claim that it costs this Nation at least $600 a year to feed, clothe and pay each enlisted soldier. The wages in the United States Army vary from fifteen to ninety-nine dollars per month, outside of clothing, food and equipment. If we were to increase our standing army from 100,000 men to 1,000,000, it would, therefore, cost us $600,000,000 a year to pay these soldiers their wages, and feed and clothe them, aside from military equipment. If we were to maintain a standing army in proportion to population such as Great Britain maintained before the outbreak of hostilities, it would cost us nearly $1,200,000,000 a year. Such a frightful increase in the burdens of taxation which would be occasioned by the maintenance of such an army in the United States must give serious concern to all citizens contemplating such a prospect.

There is another alternative. It is the citizen-soldiery of the Nation. Not such a citizen-soldiery, however, as is now maintained in the National Guards of the different states. The present militia of all of the different states of the United States is wholly inadequate for the defense of the Nation. In 1913, the total militia of the National Guards of all the states aggregated approximately 120,000 men. Such a number of men would be wholly inadequate for the defense of the Nation in case of war with any first-class power.

To rely upon the regular army of 100,000 men and a militia of 120,000 men which we now maintain would be an act of supreme folly. The citizen-soldiery of the Republic must be reorganized,

regenerated and enormously increased. There should be a body of citizen-soldiery trained to the use of arms, organized and maintained throughout the different states of the United States in the aggregate of at least 1,000,000 men. How can this be accomplished without imposing too great a hardship upon its members and upon the taxpayers of the Nation? It can be accomplished by the adoption of two measures.

First. By requiring every college and university in the United States which receives from any state or from the Federal Government any support or appropriation of money, to give a military training to its students during the four years of the university or college course. As part of the physical and mental education of the student, he should be compelled, as part of his curriculum, to devote sufficient time to enable him to become a well-informed soldier in time of war. That this can easily be accomplished is proven by what has already been accomplished in some of the universities.

Years ago the Federal Government made land grants to the University of Illinois, requiring, as one of the considerations therefor, a regular military drill among its students. Today at Urbana, Illinois, the seat of this university, there are among its 5,000 students, 1,800 fairly well drilled young men who have received a military training under the supervision of the Federal officer detailed for that purpose. Next year there will be about 2,000 of these young men who will be receiving such a training. I am informed that there are sixty land grant colleges and universities in the United States where doubtless such provisions are being, or should be, enforced.

The military training given these young men, however, at the present time is meager and inadequate. It is difficult to secure from the Federal Government sufficient trained officers to give them the thorough military training that they might receive, if properly officered. Only one trained Federal officer is detailed to the great University of Illinois to give military training to nearly 2,000 young men. The system should be changed. At least one officer, a West Point graduate with years of training, should be detailed to every 500 men in such colleges and universities. The Federal Government, moreover, should provide funds and scholarships for the training of young men to become military officers in these institutions.

One of the greatest needs of the British and Russian armies at the present time is trained officers to take charge of enlisted men. We should profit by the examples furnished in this awful war now prevailing in Europe. For defensive purposes, at least, we should have an adequate number of well drilled men, grad-

uates of our educational institutions who could, in case of war, take charge of and whip into shape the soldiers who would fly to the defense of their country's integrity.

Another method of increasing the numbers and efficiency of our state militia would be for the Federal Government to make more liberal appropriations for the maintenance of the same. Under the present Federal law, each state receives from the Federal Government the tents, uniforms, arms and equipment used by its militia. No wage is paid the militiamen by the Federal Government. The only wage or compensation that the militiamen in the State of Illinois receives is one dollar a day while actively engaged in maneuvers or when called out for public duty in case of riot or other emergencies. On the average the militiamen in the State of Illinois do not receive to exceed fifteen dollars a year, and that only when he is in active service.

This beggarly allowance is not attractive to the ordinary farmer, mechanic or clerk. If he joins the militia he is expected to give at least one night a week for drilling purposes in his armory. This continues throughout the entire year, and for this one night a week he receives not one cent of compensation. The young men who join the National Guard are those who do so for patriotism or love of military association. The surprise is that there are sufficient young men throughout the different states who are willing to give so much of their time without compensation.

All of this should be changed. I believe that any young man who is willing to join the National Guard and become a citizen-soldier should be reasonably compensated for the time that he spends in fitting himself to become a soldier as he would in any other occupation. If a militiaman were paid one dollar for every night that he spent in military training in his drill hall or arsenal with a provision that he would receive no compensation unless he attended at least forty nights during the year, I believe that the National Guard in the State of Illinois, upon such a basis of remuneration, would be increased within one year from the 8,000 militiamen that we now have to 100,000, and I believe that this is true of all of the other states in the Union. Instead of a National Guard of 120,000 throughout all of the states of the Union, I believe that we could easily secure men, at such compensation, to the number of from 1,500,000 to 2,000,000 men throughout the United States. If this could be accomplished, let us compare the burdens that it would impose upon the public with the burdens that would be imposed by maintaining a standing army of the same number.

If each militiaman were paid at the rate of one dollar a night and the National Guard should be increased to the number of 1,000,000, at forty dollars per year, the aggregate cost would be

$40,000,000 per annum. If 1,000,000 men in a standing army were maintained by the United States, it would cost $600 per year per man, the cost in the aggregate being $600,000,000. In other words the Federal Government, under such a plan, could maintain a militia of 1,000,000 men ready to respond to the country's call in time of war for $560,000,000 less than it would cost to maintain a standing army of the same amount of men.

I am not, and never have been, an advocate of a large standing army in this Republic, but I do believe that the time has come in the history of this Nation, when it must be prepared for defensive purposes, and to have at least 1,000,000 men within its borders with military training, so they can become the Nation's defenders, if the life of the country is assailed. This is the reason why the State of Illinois, during the last three years, has been liberal in its appropriations for the maintenance of armories throughout the State. The following statement shows where armories were erected during the last three years and the cost of the same:

Chicago, Second Infantry	$470,825.00
Chicago, Eighth Infantry	194,424.66
Chicago, First Cavalry (appropriated for, plans drawn and ready for construction)	225,000.00
Aurora	47,000.00
Galesburg	50,000.00
Kewanee	20,000.00
Ottawa	44,600.00
Quincy	65,000.00
Woodstock	28,000.00
Kankakee	75,000.00
Monmouth	50,000.00
Peoria	50,000.00
	$1,319,849.66

The last three named were appropriated for and plans and building are in process of consummation.

The appropriations made by the Forty-seventh and Forty-eighth and Forty-ninth General Assemblies of the state of Illinois for housing the National Guard amount to the sum of $1,319,849.66.

Another suggestion which I deem of importance is the location of arsenals and ammunition factories in the heart of the Mississippi valley.

I was surprised upon visiting the United States arsenal at Rock Island sometime ago, to discover that no munitions, guns, rifles and other arms were being manufactured there, and that the only things manufactured were blankets, harness, saddles and other equipment of this character.

In the event of invasion and the capture of our ammunition factories along the eastern seaboard, it would require a great deal of valuable time to build up and equip factories for the manufacture of firearms and ammunition within the heart of the Nation.

I, therefore, favor the building and equipment of armories and ammunition factories in the Mississippi valley and I know of no place in the valley, better suited for this purpose than the State of Illinois, which is the railway center of the United States, and which has waterway transportation by the lake on one side and by the Mississippi River to the south on the other side. Why should not a second West Point be located near Chicago on the lake, or upon the Mississippi River?

When I was in Switzerland fifteen years ago I marvelled at the number of trained soldiers that I saw in the little republic, and I asked a native why it was necessary in such a peaceful republic to maintain so formidable a force of men, to which he replied: "These men and our mountains are our only safeguards against aggression. We can only maintain our independence by having these men in readiness against possible invasion."

Let us be prepared to protect the life of the Nation from aggression from abroad, not by a large standing army, at least at present, but by a trained citizen-soldiery that can be maintained without imposing unduly onerous burdens upon the taxpayers of the Nation. As between the Chinese republic with its 400,000,000 inhabitants, without any efficient army, cowering before the militant empire of Japan with its 70,000,000 population, but with an efficient army, and the little republic of Switzerland, standing among the warring nations of Europe and protecting its independence by a trained soldiery, let us rather incline to the fortunate situation of Switzerland that can assert its independence and neutrality in the midst of its warring neighbors.

ANSWERS AN ATTACK ON DR. O. E. DYSON.

STATEMENT TO THE PUBLIC, OCTOBER 24, 1915.

I am today in receipt of a letter from Dr. O. E. Dyson, State Veterinarian, and believe that the statements therein contained are correct in every particular.

If Congressman Rainey or any one else has any proof that any of his statements are false, I would be glad to have him produce the proof and give same to the public.

Congressman Rainey gives six reasons, in a letter he is supposed to have sent to me, but which I have not received up to the present time, and which is printed in the Chicago Tribune of Friday, October 22, 1915, why Dr. Dyson should be removed from office, and which are as follows:

First. "Dr. Dyson, before you appointed him, was in the employ of the Chicago packers." Dr. Dyson before his appointment had been in the employ of the Chicago packers but he had also been in the employ of the Federal Bureau of Animal Industry for nearly twice as long, and at the time of his appointment was not in the employ and had not been in the employ of the packers or the Federal Government for about ten months.

Second. "The Chicago packers have made some millions of dollars out of his administration of the Illinois quarantine." I am not informed as to the profits of the packers, but if they have made any money out of the administration of the Illinois quarantine, that quarantine has been conducted along the lines laid down by the Federal Bureau of Animal Industry, excepting during the months of November and December of 1914, and January of 1915, when Dr. Dyson opened up to the stock raisers of the State of Illinois a market for their cattle without producing a single case of infection at the markets and at a saving for the live stock producers of the State in the quarantined area of millions of dollars, which otherwise they would have lost.

Third. "Although he has been a trusted employe of the packers in Chicago, working for them and their interests for a long time prior to your appointment of him to his present position, he filed with you not a single endorsement from any of them; a fact in itself most suspicious." I did not request endorsements from

the packers. Congressman Rainey in a letter to me dated October 8 complained "You did not send me a complete list, however, of his endorsers. What I am anxious to have is the names of the Chicago packers who endorsed Dr. Dyson. I understand that he was unanimously endorsed by the Chicago packers. In one breath Congressman Rainey criticizes me for having endorsement of Chicago packers, which I did not have, and in the next breath criticizes me for not having endorsements from these same packers.

Fourth. "His management of the Illinois quarantine has cost the State and Nation over $4,000,000. As many cases have developed in Illinois remote from the point of original infection as have developed in all other states." This is a mere assertion of Mr. Rainey's and is not backed up by any proof, and I do not, with all deference to Mr. Rainey, believe that it is true.

Fifth. "He has cost the State and Nation more than any other citizen who ever lived in Illinois." This is another mere assertion of Mr. Rainey's and is not backed up by any proof, and I do not believe, with all deference to Mr. Rainey, that it is worthy of credence.

Sixth. "His regulation of the Illinois quarantine has been so bad and so incompetent that it has been frequently criticized and condemned to me and to others by the officials of the Bureau of Animal Industry here in Washington." I call upon Congressman Rainey to give me the name or names of the gentleman or gentlemen who have made this criticism, and the criticism, and the date thereof.

DEFENDS INTEGRITY OF WATERWAY LEGISLATION.

In reply to Attack by Congressman Rainey, October 24, 1915.

In relation to the statement of Congressman Rainey in to-day's papers, Governor Dunne issued a statement: "It is difficult for me," said the Governor, "fittingly to characterize the extraordinary statements made by Congressman Rainey concerning the Illinois Waterway, or answer him dispassionately. But I shall endeavor so to do. His statements concerning the waterway are full of assertions which are reckless of facts.

"That part of the Congressman's statement regarding graft in the waterway law is so wildly absurd as to be grotesque. The Congressman states his greatest objection to the waterway is that it contains $700,000 in graft. This is most assuredly news to me. The Congressman states that there will be paid out in salaries, for fees to experts and officials, $700,000. Where the Congressman gets that information I am at a loss to understand. The salaries of four commissioners are $5,000 a year and that of the president $6,000. The law also provides necessarily for the employment of a secretary, attorneys and engineers and their assistants. Certainly the law provides for nothing that could be tortured into graft. He further says: 'This enormous sum of money (referring to the $700,000 so-called graft) will make it possible for every member of the Legislature to obtain four or five good positions on the waterway project for his constituents.' As a matter of fact most of the work on the proposed waterway will be done by dredging machines and members of the Dredging Machine Union. I am told that there is not a closer union in the world and that the blue card of the union is more potent to secure that kind of employment than a bushel of political endorsements.

"He says the law is 'rotten all the way through.' It is so 'rotten' as to have received overwhelming approval from such organizations as the Chicago Association of Commerce, the Rivers and Lakes Commission of this State, and the Peoria Association of Commerce, the Joliet Association of Commerce, the LaSalle Association of Commerce, the Peru Association of Commerce, the Cairo Association of Commerce, the Chicago Federation of Labor, the Chicago Real Estate Board, the Illinois Society of Engineers

and Surveyors, the River Terminal Conference of eight Mississippi valley states, held in St. Louis, February 19, 1915; the National Rivers and Harbors Congress, Illinois delegation.

"It also received the endorsement of the Illinois Press Association, the Chicago Tribune, Chicago Daily News, Chicago Journal, Chicago Examiner, Chicago Herald, the Springfield Register, the Springfield Journal, the Springfield News-Record, Bushnell Record, Belleville News, Aurora Beacon-News, Rockford Star, Bloomington Pantagraph, the Bloomington Bulletin, and most of the other important and influential newspapers of Illinois. The Davenport Press of Davenport, Iowa, and the St. Louis Globe-Democrat, of Missouri, have likewise endorsed it.

"In fact I have not heard of a commercial association, labor organization, engineering body or influential newspaper that opposed the project.

"United States Senators James Hamilton Lewis and Lawrence Y. Sherman both addressed a joint session of the Legislature in favor of the enactment of the project into law. Carter H. Harrison, former mayor of Chicago, and William Hale Thompson, present mayor of Chicago, have also endorsed it.

"Although there was a considerable Republican majority in the House of Representatives and the project was recommended by a Democratic Governor, yet the bill passed that body by a vote of 107 to 41.

"When the bill came up for hearing in the Senate, Congressman Rainey, at his request, was given an opportunity to express his views before the Senate body concerning the bill. He opposed it as bitterly and as recklessly and offensively as he does now. Samuel Alschuler, lately appointed to the Federal bench by President Wilson, spoke at the same hearing in favor of the bill. There was full and complete discussion and although the Senate, too, was Republican, the bill likewise passed the Senate by a vote of 33 to 9.

"It would be hard to believe that the associations, the newspapers and the individuals that endorsed the waterway project would have done so if there had been any suspicion of graft or rottenness in connection with it.

"The Congressman has always demanded and now demands a fourteen-foot channel in the waterway. This demand, in view of the fact that there is only eight foot in the Mississippi into which the Illinois empties, has retarded the construction of the waterway for years. A fourteen-foot channel now when the Mississippi has only eight foot would be immensely more costly and plainly impracticable at the present time.

"The proposed waterway follows the Illinois River for forty-five miles and the old canal for about twenty. The principal water power developed will be at Starved Rock, a public park owned by the State.

"So long as I am Governor there will be no graft in connection with the construction of the Illinois waterway, Congressman Rainey's assertions to the contrary notwithstanding.

"The advantages that will accrue to the State from the construction of the Illinois waterway are tremendous and I trust that the commencement of the work on this immense project will be but little longer delayed."

DEFENDS HIS VETO OF APPROPRIATIONS.

STATEMENT UPON THE DECISION OF THE SUPREME COURT IN THE FERGUS CASE, NOVEMBER 10, 1915.

In disposing of the Fergus case, the Supreme Court declares that in "drawing a strict line between an officer and an employe and holding that the pay of no officer can be provided for in any other appropriation bill than one for the pay of members and officers of the General Assembly and officers of the State government, a difficult task is set for the Legislature to determine who are and who are not officers." This difficult task, however, must be faced by every Legislature in the future with the possibility of the same mistakes being made that have been made by Legislatures in the past.

The Fergus decision will have the effect of compelling the greatest care and caution in the enactment of appropriation bills. The net financial results of the Fergus suit, however, in so far as they have been disposed of by the Supreme Court, are not advantageous to the taxpayers of the State of Illinois.

The total amount of appropriations vetoed by the Governor aggregate $2,270,045. Of this aggregate, $1,743,038 were vetoes vetoing single appropriations or single items of an appropriation which were not disturbed by the Supreme Court's decision. The remaining vetoes held to be invalid aggregate $527,007, being vetoes sought to be exercised by the Governor by reducing amounts in items of appropriations. As the result of the arguments in the Fergus case, these attempted reductions have been held to be invalid, and the appropriations sought to be reduced are permitted to stand in full as passed by the General Assembly, thus adding to the expenses of the State and a consequent loss to the taxpayers. The foregoing figures have been carefully compiled and reported to me by the Legislative Reference Bureau.

To this increase of appropriations must be added the cost of a special session necessitated by the fact that the Legislature, in making appropriations in the State Officers' Bill and in the Omnibus Bill, classed some of the employes of the State as State officers and some of the State officers as employes. This latter mistake

arose from the fact that the members of the Legislature were unable to determine whether certain positions were, according to law, State offices or positions of employment, as has been the case with members of the Legislature for many years past.

I fear that future Legislatures will find themselves in the same predicament and that these mistakes are liable to occur even when great care is taken.

In the effort to hold the appropriations within reasonable bounds, I used the veto power quite vigorously, and this year the vetoes of appropriations exceeded, so far as I can ascertain from the Legislative Reference Bureau, any vetoes ever exercised by any former Governor of the State. I can find no vetoes of appropriations for the Forty-fourth General Assembly. Vetoes of succeeding Assemblies were as follows:

45th, 1907-8	$ 647,500
46th, 1909-10	52,500
47th, 1911-12	10,000
48th, 1913-14	1,130,000
49th (last Assembly)	2,270,045

The only apparent saving accomplished by the Fergus litigation, as against the enormous losses heretofore referred to, are the amounts held by the Supreme Court to be invalid, which were appropriated for legislative committees, the aggregate appropriations for such committees being only $43,422.11.

A special session of the Legislature, under the circumstances, is absolutely imperative at an early date for the following reasons:

First. The tax rate levy of the State must be fixed in the month of December.

Second. A large number of officers and employes of the State have been working without compensation for some time past and have been living from hand to mouth with the assistance of money loaners, who have, I fear, taken advantage of their necessities.

The members of the Legislature had better, therefore, hold themselves in readiness for an early session, not later than Monday, the 22d instant.

ILLINOIS' PLANS FOR WATERWAYS.

ADDRESS AT DAVENPORT, IOWA, NOVEMBER 11, 1915.

Mr. Chairman and Gentlemen:

It gives me great pleasure to be present today in a community that has always shown such an active and intelligent interest in the development of waterway transportation upon the Mississippi River and its tributaries.

I recognize the fact that the people of Davenport, Rock Island and Moline are firmly of the opinion that waterway transportation should be developed in the interests of the whole community. That it was largely through your efforts that the Hennepin canal connecting the Mississippi River with the Illinois River was constructed by the Federal Government, and that you are alive to the necessity of having that canal connected not only with the Illinois River, but with Lake Michigan by the construction of a waterway which will enable you to transact commercial business not only down the Mississippi River, but with the Great Lakes. I have been reliably informed that you have in the city of Davenport a publicly owned waterway terminal which is among the best and most modern of its kind. It was largely for the purpose of visiting and becoming acquainted with this terminal that I determined to accept the kind invitation of your committee and be present with you today.

Waterway transportation has been largely retarded in the past by the opposition of the railroad interests and by these interests acquiring and monopolizing the most suitable waterway terminals. A time has come in the transportation problem of the Nation when, in my judgment, the opposition of the railroads is being weakened or is withdrawn. The railroads, I believe, even in the judgment of their owners, are not adequate to cope with the full transportation of all commodities. The more bulky and cheaper commodities cannot be handled by the railroads to their entire satisfaction nor to the satisfaction of the public. There is room for waterway transportation without cutting into the most profitable railway transportation. This situation, I believe, is accentuated and intensified in the Mississippi valley, particularly, by the opening of the Panama canal.

The opening of the Panama canal is revolutionizing the commerce of the western world. Since its opening it has been found by manufacturers in the State of Illinois and surrounding states that it is cheaper and more satisfactory to ship certain classes of merchandise from the State of Illinois to the eastern seaboard and thence by ocean steamers to the Pacific coast, than to ship it direct by rail from these same states to the Pacific coast. This situation creates a serious handicap for the manufacturers in the northern section of the Mississippi valley. In other words, eastern manufacturers who compete with the manufacturers in the Mississippi valley have an advantage in shipping to the Pacific coast of the difference in the cost of transportation between the Mississippi valley and New York. The only way to eliminate this handicap is to develop the waterway transportation of the Mississippi valley down the valley to New Orleans. That city is nearly nine hundred miles nearer the Pacific coast than the city of New York, and shipments from New Orleans through the Panama canal will be necessarily cheaper than the same shipments from the eastern seaboard.

The manufacturers of the Mississippi valley are alive to the importance of the situation, and I am pleased to say that it was largely through the ardent and intelligent support that they gave to the Governor and Legislature of my State that the last Legislature of Illinois voted for the issuance of five million dollars worth of bonds for the construction of a waterway between Lockport and Utica in the Illinois River. The importance of the opening of this waterway to the State of Illinois and to the cities on the Mississippi river is almost incalculable.

From the city of Chicago to the city of New Orleans there exists today a navigable seven-foot waterway of 1,500 miles, save and except for the stretch of sixty-five miles between the cities of Lockport and Utica, Illinois. Over that sixty-five miles the Illinois River and its tributary, the Des Plaines River (which runs through Lockport and Joliet) there is a rocky ledge with a declivity of one hundred forty-four feet which makes it impassable, even for rowboats.

For years the construction of a navigable waterway through this gap of sixty-five miles has been earnestly advocated in the State of Illinois. Eight years ago the people of the State of Illinois, by popular vote, authorized the issuance of twenty million dollars worth of bonds for the creation of this waterway. Subsequent to this authorization, discussion arose between those who advocated the canal or waterway as to the dimensions of the same. Some advocated a twenty-two foot depth, the same depth as the Sanitary District canal between Chicago and Lockport;

others advocated a fourteen-foot depth and still others advocated simply the rehabilitation of the old Illinois and Michigan canal, which was constructed three-quarters of a century ago with a depth of six feet, with locks of a capacity suited for commercial boats of that remote time propelled by horses and mules. In the midst of this controversy the people became confused and no progress was made in the way of actual construction. The engineers of the Federal Government were called upon by the Secretary of War to make an investigation into the subject and to report to the Secretary of War. In 1911 these engineers reported to the Secretary of War, who transmitted this report to the next session of Congress. In substance this report calls attention to the fact that there is only an eight-foot depth in the Mississippi River between St. Louis and Cairo, with no likelihood of securing a greater depth in the near future. They also suggested that a waterway in the Illinois River between Lockport and Utica should be constructed with a depth of eight feet. That the State of Illinois should be encouraged to build a waterway between these points of such a depth and that the Federal Government should dredge the Illinois River from its present depth of seven feet between Utica and the Mississippi River to a further depth of eight feet.

In view of this report and these recommendations by these eminent engineers of the Federal Government, I reached the conclusion, as Governor of the State of Illinois, that the time had come when the State of Illinois should do something practical in the way of creating an eight-foot channel from Chicago to New Orleans by the construction of a waterway of this depth between Lockport and Utica. I called several engineers together and with them made a physical examination of the old Illinois and Michigan canal between Lockport and Utica and the route of the proposed waterway in the Illinois and Des Plaines Rivers.

I suggested to these engineers, in view of the fact that there was but eight feet of water in the Mississippi River, that it would be wise for the state to immediately develop a waterway of the same depth over this sixty-five miles between Lockport and Utica in such a way so as not to prevent a greater depth from being obtained in the event that a greater depth may hereafter be obtained in the Mississippi River. These engineers reported to me in writing within a short time thereafter stating that if a dam were erected at Starved Rock, near Utica, where the State of Illinois maintains a publicily owned park, that such a depth could be obtained in a waterway between Lockport and Utica within two years after the commencement of the work.

I submitted this report to our last Legislature with the recommendation that a waterway of such a depth be constructed immediately and the Legislature, though differing from me in my political views, was patriotic enough to treat the matter as a pure business proposition and by an overwhelming vote passed a law authorizing the construction of such a waterway between these points at a cost to the state of Illinois of $5,000,000, which was to be obtained by the issuance of bonds. Application was promptly made to the Secretary of War for the granting of a permit to do this work, and I am pleased to say that all legal difficulties have been overcome and that a final hearing upon the plans and profiles of the scheme is now under way before the Federal engineers under the direction of the Department of War.

The opening of this waterway will be of incalculable value to the State of Illinois and to all the states bordering upon the Mississippi River. It will be of particular value to the people of Davenport, Rock Island and Moline. The Hennepin canal from the Mississippi to the Illinois River has been practically unused because of the fact that it ends in the Illinois River just a few miles south of Utica and that from the east there is no opening that would enable boats from the Mississippi River to enter Chicago and tap the commerce of the Great Lakes. Once this waterway is open, river commerce between Chicago and New Orleans will develop enormously and commerce from the Mississippi River through the Hennepin and Illinois waterways to the Great Lakes will be tremendously accelerated.

I know of no project of such tremendous importance to the people of this section as the building of this waterway, and I hope to see, within the next two or three years, a commerce develop between your cities and Chicago and between Chicago and New Orleans along these heretofore sparsely used waterways that will redound to the wealth and prosperity of Illinois and surrounding states.

I congratulate the city of Davenport upon being so forehanded as to provide such an excellent waterway terminal, and I hope that the other cities along the Mississippi River and Illinois River, and their tributaries, will be equally wise and provide uniform terminals, publicly owned, where all persons can have access to their use upon equal terms and conditions. When this time arrives a commerce is bound to develop along these waterways that will redound to the prosperity, not only of this generation, but of generations yet to come.

APPROPRIATIONS BY FORTY-EIGHTH GENERAL ASSEMBLY.

STATEMENT TO THE PUBLIC IN REPLY TO MEDILL MCCORMICK, NOVEMBER 17, 1915.

Governor Dunne today made the following statement:

In reference to the statement of Hon. Medill McCormick in the public press, would state that I also deplore the increase in the appropriations made necessary for the proper conduct of the State government.

To keep those appropriations down, the Governor did everything within his power and was assisted therein by both of the Chairmen of the Committees on Appropriations.

The Legislative Reference Bureau, as required by law, requested all departments of the State government to present estimates. I personally went over many of the estimates presented by these departments, and in every case where it was possible, I had the Reference Bureau write to the departments directing them to reduce their estimates.

I had a meeting with the Board of Administration and had that body present estimates for all the charitable institutions, which were a million eight hundred and fifty thousand dollars less than the appropriations requested by the individual institutions, and therefore requested the Chairmen of the Appropriations Committees to take, and they did take, the figures of the Board of Administration rather than the figures of the Reference Bureau as obtained from the different charitable institutions. The Board of Administration, after conference with me, further instructed the heads of the different charitable institutions to remain at their work and to refrain from lobbying and log-rolling in the Legislature.

In the Governor's department a reduction of $53,000 was made from that appropriated by the Forty-eighth General Assembly.

In my message to the Legislature, I stated: "I earnestly request your cooperation in pruning and cutting down the appropriations, where possible, to the actual needs and necessities of efficient administration."

At the time the Appropriations Committee was considering the budget, the members of the Legislative Reference Bureau con-

sisted of four Republicans and one Democrat, and not of a majority of Democrats, as claimed by Mr. McCormick.

The appropriations made by the Forty-ninth General Assembly were $48,671,422.59. These figures included the appropriations for the foot-and-mouth disease. Of these appropriations I vetoed $2,322,096.42, which is the largest amount of appropriations vetoed by any Governor in the history of the State.

Something like $830,000 will have to be added to the appropriations on account of the decision of the Supreme Court in the Fergus suits which became validated because of the fact that the court held that the Governor cannot reduce items.

I note, too, Mr. McCormick's statement concerning the Efficiency and Economy Committee.

In my Inaugural Address to the Forty-eighth General Assembly, I suggested to that body the creation of an efficiency and economy committee. The Forty-eighth General Assembly created such a committee and appropriated $40,000 for its work.

That committee industriously made a full, complete and valuable study of all departments of the State government, which I commended to the Legislature's consideration in my biennial message. It presented to the Forty-ninth General Assembly a report of 1,051 pages. This report went into every phase of the State government and it recommended the consolidation of various boards and the abolishment of many offices.

Special committees were appointed in each House of the General Assembly to consider the bills prepared by the Efficiency and Economy Committee. Many bills were introduced by the Efficiency and Economy Committee, but only two of said bills were passed by the Legislature. One provided for a State Superintendent of Printing and the other provided for a system of uniform reports. Mr. McCormick was a member of the Efficiency and Economy Committee in the House. The other bills introduced along the lines of the report of the committee failed of enactment.

The same Legislature that is now about to be called in special session had the report and bills of this commission before it for several months. The regular session of the Forty-ninth General Assembly took up nearly six months' time and failed to enact into law the recommendations of the Efficiency and Economy Committee. Of what practical use would it be then to incorporate in the call for the special session a provision for the continuation of such a committee by this same Legislature?

The report of the Efficiency and Economy Committee, as I stated before, consisting of 1,051 pages, is printed and every member received a copy of it, and future General Assemblies can well consider the recommendations made by the Efficiency and Economy Committee of the Forty-eighth General Assembly.

At the special session the Legislators will be serving practically without compensation and will be in no mood to have heaped upon them labors which they declined at the regular session.

I do not know where Mr. McCormick got his information that the Illinois Centennial Commission, which has already expended money for a laudable purpose and whose labors are still incomplete, was not going to be included in the special call.

The same applies to the Hull Pension Commission. This, too, is a most important matter and should, by all means, be included in the special call.

The Governor did everything within his power to keep the appropriations down to the minimum for efficient State government.

ON THE OPPRESSION OF POLAND.

ADDRESS TO POLISH CITIZENS, CHICAGO, NOVEMBER 28, 1915.

Mr. Chairman, Ladies and Gentlemen:

A century ago Thomas Campbell aroused the English-speaking world to the tragedies of Poland in a poem of wondrous beauty.

Today in the depth of her woe, Campbell's lines with a change of one word apply to the Poland of the twentieth century:

> "O bloodiest picture in the book of Time,
> Samartia bleeds unwept without a crime,
> Finds not a generous friend, a pitying foe,
> Strength in her arms, nor mercy in her woe."

Today we are presented again with a spectacle of a great, valiant and vigorous race, guiltless before the nations of any crime, being overrun by the warring legions of Germany, Austro-Hungary and Russia, her fields devastated, her cities destroyed, her temples desecrated and her children being steadily starved and slaughtered in the deadly struggle now raging in Europe. Worse than all, her valiant sons are being conscripted and forced into the armies of the warring nations and compelled against their wills to take each others lives without any heart or interest in the conflict.

I know of no nation which has done so much for civilization and Christianity and has suffered so much from Christian nations. For four centuries the Polish nation stood in the words of Victor Hugo: "As a knight among the nations," defending western civilization and Christianity from the onslaught of Mohammedism and barbarism. Under Sobieski the Polish nation hurled back the Ottoman hordes from the walls of Vienna. She furnished a Poniatowski to France and a Kosciusko and Pulaski to America. In her prime she possessed a territory as great as that now occupied by the German empire, and with a population of thirty millions. She furnished a refuge to the oppressed of all lands. She guaranteed civil liberty and the exercise of religious freedom. The persecuted Jew found in Poland a resting place and a home, and yet today she stands in Europe as the Niobe among the nations, weeping over the loss of her children that are not.

To and fro across her fertile fields the Slav and the Teuton armies have waged their awful battles, leaving in their wake starvation and disaster.

I am here today to express my profound sympathy with the Polish people. One hundred and fifty years of oppression, war and massacre, of depopulation and disaster have not broken the proud spirit of that liberty-loving race. Still the love of liberty prevails. Still the aspiration for nationality endures. It has not been beaten down by cannon or destroyed by fire. The spirit of the Polish people is irrepressible. With such a tenacious love of liberty and Christianity, I believe it is impossible to exterminate or repress the aspirations for Polish nationhood.

Today she is again going through the travails and trials to which she has been subjected in the past and I believe she will emerge therefrom with the same irrepressible and inextinguishable love of liberty and nationhood. Who knows but that in the outcome of this terrific conflict that some means may be found to again re-create the Polish nation to stand as a wall between the Slav and Teuton and thus enable her to resume her place among the nations of the world.

But whatever the outcome the cry of Poland in her agony should ring round the world. She is not responsible in any way for the conflict now raging. Her children are guiltless of wrong and her sufferings are beyond the power of language to describe. I know of no cry for relief that ought to more readily be responded to than the cry of the impoverished women and children of unhappy Poland, nor one that should receive a more ready response from the people of America and of the world.

God grant that an early dawn may soon banish her black night of sorrow and distress.

EXPLAINS THE STATE TAX RATE FOR 1915.

STATEMENT TO THE PUBLIC, DECEMBER 4, 1915.

Governor Dunne last evening, after a meeting of the State Tax Commission, made the following statement:

The State Tax Commission, at its meeting today, fixed the tax rate of the State of Illinois for the ensuing year at 55c, an increase of 7 cents over the 48-cent rate fixed in the year 1914.

The increase in the State tax rate is made necessary by the following extraordinary items of expenditure:

For foot and mouth disease	$1,430,600
Increased appropriation for State School fund	1,000,000
Increased appropriation for State University	500,000
Increases in appropriations made at the special session of the Legislature, which special session was made necessary by the Supreme Court decision in the Fergus case	175,000
Items vetoed in part and restored to their full amounts by the decision of the Supreme Court in the suit of Fergus et al. vs. Russel et al. (This includes items vetoed in part by the Governor, which vetoes were held by the Supreme Court to be unconstitutional)	455,000
Increased appropriations for State Normal Schools	310,000
Increased appropriations for good roads	888,790
	$4,769,390

In fixing the tax rate at 55c, the State Tax Commission took into consideration that there will probably be an additional appropriation of $250,000 made by another special session, for the foot and mouth disease. Every increase in the appropriation of $250,000 makes necessary an addition of one cent to the tax rate.

Were it not for the extraordinary expenses noted above, the tax rate this year would have been reduced to 36c, a reduction of 12c from the tax rate which was fixed in the year 1914.

ON THE HANGING OF JOSEPH DeBERRY AND PROPOSED EXECUTION OF ELSTON SCOTT.

STATEMENT TO THE PUBLIC, DECEMBER 14, 1915.

On the night of October 15 my attention was called to the fact that the execution of Joseph DeBerry was about to take place on the following day in Murphysboro, Illinois.

My informants stated that about two thousand people were to be invited by the sheriff to witness the execution. I had my secretary telephone the sheriff and inform him of the information that had come to me. The sheriff stated to my secretary that the accounts were exaggerated and promised that the execution would be conducted in accordance with the law of the State. Resting upon this assurance I permitted the execution to take place, in the confident belief that it would be conducted with decent privacy.

On October 16 the execution took place under circumstances which gave it the character of a public execution, the deputies and invited witnesses aggregating all the way from one thousand to two thousand persons inside the stockade.

Photographs were permitted to be taken of the scenes surrounding the execution. These photographs have been, since the execution took place, exhibited in many theaters; being widely advertised on large posters and on small hand bills, copies of which are at present in my possession.

I am credibly informed by reliable citizens of Murphysboro that the invitation tickets to the execution were hawked about and sold upon the streets of Murphysboro prior to the execution. In view of these distressing circumstances which surrounded the DeBerry execution I believe it my duty to communicate with Sheriff White of Jackson County, in which is situated Murphysboro, in reference to another execution which was scheduled to take place on October 22. On October 18 I wired the sheriff as follows, and received the following reply:

"October 18, 1915.

Hon. James A. White, Sheriff, Jackson County, Murphysboro, Illinois.

I am informed that it will be your duty, unless a reprieve is granted, to execute a man next Friday. I, therefore, wire you in reference to the arrangements that you may make for carrying out the process of the law. Last Saturday an execution took place in Murphysboro, surrounded by circumstances which, if they existed as described in the newspapers, is a scandal and disgrace to this State. The papers say that two thousand men were within the enclosure witnessing the execution, and I am informed that the sheriff admits that there were at least one thousand people present, claimed to be deputy sheriffs. Such tragedies, when required by law, should be carried out with decorum and decency and in the presence of as few witnesses as possible, to-wit: the jury, physicians, clergymen and the necessary deputy sheriffs. I enjoin upon you the necessity of conducting this execution with decorum, decency and privacy. Please wire me what arrangements you have made and how many people you have invited or deputized to be present at the execution next Friday.

E. F. DUNNE, *Governor.*"

"MURPHYSBORO, ILL., *October 18, 1915.*

Hon. E. F. Dunne, Governor, Springfield, Ill.

In reply to your wire will say that the execution which took place here last Saturday was conducted with solemnity and decency and with as much privacy as any other legal execution which ever took place in southern Illinois. The press reports were greatly exaggerated, and I am in no way responsible for their misrepresentations. I have not brought disgrace or scandal on the State, or my county, and regret that certain things were reported by the press as being true, which, in fact, never occurred. The execution which is to take place here next Friday, unless prevented by your action, will be conducted in accordance with the law and the sentence of the court.

JAMES A. WHITE,
Sheriff, Jackson County."

Whereupon I again wired the sheriff as follows and received the following reply:

"October 19, 1915.

Hon. James A. White, Sheriff, Murphysboro, Ill.

You have not answered my inquiry 'How many people have you invited or deputized to be present at execution next Friday?'

Please answer definitely today how many have been or will be invited or deputized.

E. F. DUNNE, *Governor.*"

"MURPHYSBORO, ILL., *October 19, 1915.*

Hon. E. F. Dunne, Governor, Springfield, Ill.

In reply to your wire just received, beg to advise that it is my intention to invite the presence of the judges, prosecuting attorney and clerks of the courts of this county, together with two physicians and twelve reputable citizens to be selected by me. Also such ministers of the gospel, not exceeding three, as the prisoner shall name, and the immediate relatives of said prisoner. Also such officers of the prison, deputies and constables as I shall deem expedient to have present at the execution, which is to take place here Friday of this week, in accordance with section 3 of division 14 of the criminal code of this State.

JAMES A. WHITE,
Sheriff of Jackson County."

In view of the outrageous circumstances surrounding the first execution, and in view of the further fact that I could not receive assurances from Sheriff White as to the number of people that would be invited or deputized to be present at the second execution, I reprieved the prisoner, Elston Scott, thirty days, in order to avoid a repetition in the State of Illinois of an execution surrounded by such circumstances as in the DeBerry case.

On November 10 I again wrote Sheriff White the following letter and received the following reply:

"*November 10, 1915.*

Hon. James A. White, Sheriff of Jackson County, Murphysboro, Illinois.

SIR: Kindly inform me what arrangements have been made by you for carrying out the execution of Elston Scott on Friday, November 19.

State particularly the number of persons to be deputized or invited to be present at the execution. I desire this information with much definiteness so as to determine my future action in reference to this case.

Yours truly,

(Signed) E. F. DUNNE."

"MURPHYSBORO, ILL., *November 11, 1915.*

Hon. Edward F. Dunne, Governor, Springfield, Ill.

SIR: Your letter of the 10th instant requesting me to advise you what arrangements have been made by me for carrying out the execution of Elston Scott on Friday, November 19, and also requesting me to state particularly the number of persons to be deputized or invited to be present at the execution, just received. Replying thereto, will say that as yet I have made no arrangements for the execution of Scott, but unless prevented by your action, he will be executed on November 19, 1915, in accordance with section 3, of division 14, of the criminal code of Illinois. Or, in other words, the witnesses and officials required by law will be invited, *and as many deputies as I may deem expedient.*

Respectfully,

JAMES A. WHITE, *Sheriff.*"

Whereupon I again wrote the sheriff a letter as follows and received the following reply:

"*November 12, 1915.*

Hon. James A. White, Sheriff of Jackson County, Murphysboro, Illinois.

SIR: Your letter of the 11th instant is before me.

You do not answer the request in mine of the 10th instant, in which I ask you to 'state particularly the number of persons to be deputized or invited to be present at the execution.'

Please let me have this information by return mail. In other words, please state the number of witnesses you intend to invite and the number of deputies you intend to deputize.

Respectfully,

E. F. DUNNE, *Governor.*"

"MURPHYSBORO, ILL., *November 13, 1915.*

Hon. E. F. Dunne, Governor, Springfield, Ill.

SIR: Replying to your letter of the 12th instant will say that I have repeatedly advised you of my intentions regarding the execution of Elston Scott, and have nothing to add.

Respectfully,

JAMES A. WHITE, *Sheriff.*"

In view of the refusal of the sheriff to indicate the number of deputies and witnesses that were to be invited or deputized, I again reprieved the prisoner, Elston Scott, until December 17, 1915.

On December 10 I again wrote the sheriff as follows and received the following reply:

"*December 10, 1915.*

Hon. James A. White, Sheriff of Jackson County, Murphysboro, Illinois.

SIR: Kindly inform me what arrangements have been made by you for carrying out the execution of Elston Scott on next Friday.

State particularly the number of persons to be deputized or invited to be present at the execution. I desire this information with much definiteness so as to determine my future action in reference to this case.

Yours truly,

E. F. DUNNE."

"MURPHYSBORO, ILL., *December 11, 1915.*

Hon. E. F. Dunne, Governor, Springfield, Ill.

SIR: Your letter of the 10th instant requiring information as to my arrangements for carrying out the execution of Elston Scott on next Friday received at five o'clock p. m. today. However, I noticed by press reports of yesterday that you had, or intended writing me again, but as it is an exact copy of your inquiry of November 10, except as to dates, beg to advise that I have nothing to add to my reply of November 11.

Respectfully,

JAMES A. WHITE, *Sheriff.*"

In view of the repeated refusals of Sheriff White to disclose the number of deputies and witnesses he intends to invite to the execution of Elston Scott, and in view of the shameful surroundings of the DeBerry execution conducted by Sheriff White, I have again determined to reprieve the prisoner, Elston Scott, lest such another disgraceful spectacle as was presented at the DeBerry hanging take place in the State of Illinois.

ILLINOIS SENATE ENDORSES GOV. DUNNE FOR U. S. SUPREME COURT.

SENATE RESOLUTION NO. 16, UNANIMOUSLY ADOPTED JANUARY 20, 1916.

Whereas, through the death of the late Associate Justice Lamar a vacancy now exists upon the bench of the Supreme Court of the United States; and

Whereas, President Woodrow Wilson, upon whom the duty now falls of naming a successor to the late Justice Lamar, is now carefully considering the merits and qualifications of numerous distinguished jurists and Americans for such vacancy; therefore, be it

Resolved, That the Senate of the State of Illinois, in special session herewith assembled, hereby respectfully presents to the distinguished consideration of the President, the name of a man, already publicly mentioned in connection with the vacancy with its sincere and unanimous endorsement, the name of Governor Edward F. Dunne of Illinois; be it further

Resolved, That President Wilson be respectfully asked to consider the long and distinguished service of Governor Dunne as a judge on the bench, in which position he distinguished himself for fine legal ability, broad human sympathy, a progressive view of law in keeping with the spirit of the times. His honesty was, and is, proverbial, his fair dealing unquestioned, and his open, appealing democracy such as to make him a real friend of men; in other words a man of true judicial temperament, well fitted to grace the bench of the Supreme Court of this country; be it further

Resolved, That the Senate of the State of Illinois hereby gives its unanimous endorsement to the report that President Wilson is considering the qualifications of Governor Dunne and earnestly requests him to give due and careful consideration to his qualifications before making a final decision; and, also be it further

Resolved, That an engrossed copy of these resolutions. duly authorized by the President and Secretary of the Senate be forwarded at once to His Excellency, Woodrow Wilson, President of the United States.

ABRAHAM LINCOLN.

ADDRESS BEFORE THE ANNUNCIATION CLUB, BUFFALO, NEW YORK, FEBRUARY 15, 1916.

Mr. Chairman and Gentlemen:

At your kind invitation I come to participate with you in the celebration of the anniversary of the birth of a great American President and statesman, Abraham Lincoln.

I come from a State which is proud of its history and achievements; from a State which although not yet a century old, has advanced into the front rank of the States of the Union.

We are proud in Illinois of the fact that that comparatively young State has distanced her sister States, excepting two, in population, wealth, manufacturing and political importance; that she stands first in agricultural wealth, fertility of soil and railway development. But proud as we are of her material prosperity, we are prouder still of her history and the part she has played in the history of the Nation.

We are proud that it was on the soil of Illinois that the gentle Pere Marquette made most of his important discoveries and planted the cross of Christianity in 1673, his mission being one for the salvation of souls and not the subjugation of the bodies of men.

We are proud of the achievements which La Salle and Joliet, Tonti and Hennepin accomplished on Illinois soil.

We are proud of the fact that the hardy pioneers who dwelt in the wilderness around Kaskaskia in what is now the State of Illinois, anticipated, in 1771, the demands of the colonists in Massachusetts, New York, Virginia and the rest of the thirteen colonies when they repudiated Lord Dartsmouth's "Sketch of Government for Illinois," as "oppressive and absurd," and declared "should a government so evidently tyrannical be established, it could be of no duration. There would exist the necessity of its being abolished." This declaration of independence antedates that of 1776 in Philadelphia by five years.

We are proud of the fact that on Illinois soil took place, on July 4, 1778, the struggle resulting in the capture from the English by George Rogers Clark of the Fort of Kaskaskia, which wrested forever from the British crown all of the territory west of Pennsylvania lying between the Ohio and Mississippi Rivers.

We are proud of the fact that it was on the soil of Illinois that its two intellectually gifted sons argued out before the people sitting as a jury the greatest moral issue that this country has ever faced—the issue as to whether this country could long endure as a republic with human slavery legally enforced in one part of it, and legally prohibited in another.

We are proud of the fact that that great issue, as the result of that great debate, was finally settled right in the awful arbitrament of war under the leadership of the great soldier furnished by Illinois in the Nation's crisis, backed by the valor of 125,000 sons of Illinois upon the battlefield.

We are proud of the fact that Illinois produced in the Nation's crisis a U. S. Grant to lead her soldiers to final victory, and that in that great war for the preservation of the life of the Nation she produced such brilliant generals as Logan, Shields, McClernand, Oglesby, Mulligan and Lawler and others who have shed illustrious honor upon the State, but above and beyond all, Illinois is proud of the fact that she gave to the Nation and to the world in 1861 the greatest humanitarian and statesman of the nineteenth century, one of the most wonderful men in history in the person of Abraham Lincoln.

We are celebrating tonight the natal anniversary of this great man and I am called upon to speak appropriately to the theme. I fear that in calling upon me for this purpose you have over-rated my powers. Since the death of Lincoln, his name has been upon the tongues and pens of most of the great orators and writers of the world. With the single exception probably of Napoleon, no name has so engrossed the attention of the civilized world in the last century as has that of Lincoln. Orators, poets and historians have vied with each other in doing honor to that illustrious name and yet the theme has not become threadbare or exhausted.

Four men who have reached the Presidency of this great Republic stand out among their fellow Presidents as Titanic figures in American history—Washington, the ideal patriot; Jefferson, the ideal statesman; Jackson, the ideal citizen-soldier, and Lincoln, the ideal humanitarian.

We are gathered tonight to honor the last but not the least of these great men.

Lincoln's character is remarkable in that it seems to grow and increase in public estimation as the years go by. I doubt that his contemporaries appreciated in his lifetime the wonderful character of the man. When one stands alongside of some great architectural triumph with his hand upon its base he fails to drink in the symmetry and grandeur of the structure. It is only when he stands away from the base of the monument that he begins to

appreciate its dignity and symmetry, and so it is with the character of Lincoln. Those who lived and worked with him. it seems to me, never appreciated at its full worth the marvelous character of the man. It is only as the years roll by and as we get the perspective of time that we recognize the simplicity and nobility of his character.

Lincoln's personal history is one of the saddest and strangest in all history. Born in a miserable log hut, in the direst poverty, without the education of schools, without influential friends, without physical attraction, without money or property and without antecedents, by virtue of his innate moral rectitude and intellectual ability alone, he struggled upward and onward until he died in the White House, President Chief Executive of the greatest Republic on the face of the earth.

Thomas a'Kempis in his beautiful work, the "Imitation of Christ," has pointed out in the choicest language how to become a follower of the Christian Redeemer. It is a work that is written for and appeals to Christians. Lincoln was not a Christian. I doubt if he was ever affiliated with any church. Indeed, his biographers show that in the early days of his manhood he read much of Thomas Paine and Voltaire. He was probably a deist, a believer in the existence of an all-wise Providence, but a disbeliever in miracles, revelation, the atonement, and punishment after death.

He probably never read or heard of the "Imitation of Christ," and yet fate or destiny made him unconsciously a man who was surrounded all his life by many circumstances such as we read of in the life of Christ. He was born in a lowly cabin in the outskirts of civilization. He was the son of a rude and unlettered carpenter. He lived in the direst poverty. He preached the doctrines of human equality. He was filled with sympathy for the poor and distressed. He demanded equality before the law, and died a martyr to the cause of humanity.

I will discuss his character tonight from three standpoints. First, from the standpoint of his profession as a lawyer; second, from the standpoint of statesmanship, and third, as a man of many sorrows.

For twenty-three years of his life Abraham Lincoln practiced law for a living in the Springfield district of Illinois. It was known as the eighth judicial circuit and comprised one-seventh of the whole State. Without scholastic education, or in fact any education except that which was acquired through his own efforts, and without even examination as to his legal attainments, he was early admitted to the bar. Prior to that admission his whole life had been that of a manual laborer. Despite his early

handicaps he soon discovered in himself that strength of character and mental force which makes men great. Imbued with a natural facility of speech and a lucidity of thought which found expression in the simplest of language, he felt himself qualified to become a pleader of the rights and demands of others. His confidence in himself was well-founded. After receiving his license to practice he commenced a professional career as a lawyer which rapidly developed into a successful practice.

No man in the profession in this time worked so tirelessly and incessantly. Astride a powerful horse, with his saddlebags containing his briefs and pleadings, or, in a wobbling, dilapidated buggy he followed the Circuit Judge from county seat to county seat through fourteen counties, over almost impassable roads, sleeping in impossible taverns, often sharing a bed with fellow lawyers, or sometimes with the Circuit Judge himself. For weeks at a time he was away from his home and office, constantly trying cases in the then obscure and widely separated county seats of eastern central Illinois. No farmer or mechanic of today did half of the physical labor performed by Lincoln in making these fearful pilgrimages. The remarkable feature of these laborious trips is the fact that throughout them all he preserved his health and good temper. The physical hardships of his early life seemed to have inured him to all kinds of harrassing wear and tear, his temperate habits preserved his extraordinary physical strength, and the unfailing good humor and lightheartedness with which his Maker endowed him, enabled him after a hard day's work to cast off his cares as easily as he discarded his overcoat.

No lawyer in the circuit tried as many nisi prius cases as did Lincoln. For a time in his career on the circuit he was almost incessantly in court, being retained on either side of nearly every case on trial.

Nor were his labors confined to the Circuit Court. The labor performed by him on briefs filed in the Supreme Court was prodigious. In the first twenty-five volumes of the Supreme Court reports his name appears as counsel 173 times. In some of these cases doubtless the briefs may have been prepared by associate counsel, but no lawyer could have had 173 cases in the Supreme Court within twenty-three years without having done an enormous amount of work on the same, both in the Circuit and Supreme Courts. The wonder of the thing grows upon us when we reflect that for many years he prepared his own pleadings in long hand; that his brief book was kept in his pocket and sometimes in his hat, and that in his early days in the profession, he was very careless and unmethodical.

His industry, however, marvelous as it was, never equaled his modesty. Lincoln was not a commercial lawyer. He knew not how to capitalize anything; least of all did he know how to capitalize his own wonderful genius. The possessor of rude but convincing eloquence that persuaded juries and convinced courts, endowed by God with a nobility of character and a love of truth which shone through his every act and work and brought success to nearly every cause he championed, this great man and this great lawyer was possessed of an instinctive modesty that refused to rate his own worth in mercenary cash.

The man who within a few years afterward gave utterance to that immortal classic at Gettysburg and penned the likewise immortal Emancipation Proclamation, in his own estimation, as a lawyer was not worth $25.00 a day. On one of his circuits, it is said, Lincoln only collected $5.00 in cash. On many of them, most of his fees were $5.00 a trial, and in but very few cases did he receive $50.00.

His guileless and uncommercial character as a lawyer is but illustrated by his notes made preparatory to a law lecture.

"The matter of fees is important," he wrote, "far beyond the mere question of bread and butter involved. Properly attended to, fuller justice is done to both lawyer and client. An exorbitant fee should never be charged. As a general rule, never take your whole fee in advance, nor any more than a small retainer. When fully paid before hand, you are more than mortal if you can feel the same interest in the case as if something was still in prospect."

On one occasion when he learned that an attorney who had retained him had charged $250.00 for their joint services, he refused to take any share of the money until the fee had been reduced to what he deemed a reasonable amount.

For this and other outrages of this character upon the legal profession, he was denounced by Judge David Davis, who said: "Lincoln, you are impoverishing the bar by your picayune charges," and he was tried by his brother lawyers in a mock court, condemned, found guilty, and paid his fine with the utmost good nature.

The lack of financial acquisitiveness, amounting at times to self-deprivation, characterized his every station in life from grocery clerk to the Presidency and impelled him at all times to side with the under dog and to champion the cause of the poor, the lowly and the oppressed.

But Lincoln, the lawyer, was not only industrious and modest, he was incorruptibly honest. He could not and would not lie, dissemble, pettifog or corrupt. Lincoln fought his legal battles in the

open. Although a power in politics, he never maneuvered and intrigued to get a man on the bench that he could own. Although a member of the Legislature and of Congress, he never was a lobbyist, either during his term of office or afterwards. He never joined swell clubs or fawned upon the wealthy. He never invited judges on the bench to stretch their legs and consciences at private dinner parties. He never dosed them with Ruinart and Cliquot or furnished them with private cars and free transportation. He had no systematized departments in his law office called "Tax Department," wherein the duties of the tax lawyer was to fix the assessor; "Legislative Department," wherein the legislative lawyer was detailed to see the councilman and assemblyman; "Publicity Department," wherein the publicity lawyer was employed to fix the newspapers; "Claim Department," wherein the claim lawyer was detailed to get to the hospital with a receipt in full before the injured claimant was operated upon; "Coroner's Department," wherein the deputy lawyer arranged to draft the verdict for the accommodation of the coroner's jury; nor a "Settlement Department," whose duty it was to settle cases with litigants behind the backs of the lawyers who had brought suits and got them in readiness for trial. Lincoln would have scorned to preside over, or be found in, such a law office.

Lincoln tried some important lawsuits for corporations, but his ability could be hired and not his conscience. He could never be hired to advise a client, no matter how wealthy, how to violate the law, how to cajole or corrupt a court or jury, how to fix an assessor, or debauch a councilman or legislator.

Even when retained in a case where he owed the duty of giving his best efforts to his client, he insisted that the client must act with honor.

It is said that during the trial of one of his cases he detected his client acting dishonorably, whereupon he walked out of the courtroom, and refused to proceed with the trial. Upon the judge sending a messenger after him, directing him to return, he positively declined, saying, "Tell the judge my hands are dirty and I've gone away to wash them."

Nor would he accept a retainer in a case which was legally right, but morally wrong.

To a prospective client, seeking his services, he once said:

"We can doubtless win your case, set a whole neighborhood at loggerheads, distress a widow and six fatherless children, and thereby get you six hundred dollars, to which you have a legal claim, but which rightfully belongs to the widow and her children. Some things that are legally right are not morally right. We would advise you to try your hand at making $600 some other way."

Such were the principles that actuated and governed Lincoln in the practice of his profession. A remunerative practice in any profession is a laudable ambition, but too often that ambition is tainted with the "get-rich-at-any-cost" spirit of the age.

Judged by the test of the accumulation of money, Lincoln was not a great lawyer, but judged by the test of probity, integrity, loyalty to clients and adherence to the right, Lincoln was among the greatest lawyers of his day.

Let us now turn to the career of Lincoln as a statesman and a leader of men.

When he first appeared in public life he had many drawbacks and disadvantages to contend with. He had neither a good education nor a good personal appearance. Truth compels us to admit that Lincoln was homely in face and ungainly in figure. Both his portraits and the pen descriptions of him by his contemporaries unite in picturing him as a very homely-faced man with a singularly awkward and ungraceful carriage. Six feet four inches in height, with long arms and long legs, when seated he did not seem to be larger than the ordinary man. His vocabulary was rude, simple and at times coarse, the natural result of his early environment.

Notwithstanding these drawbacks, his clear, lucid mind, backed by his facility of speech, early enabled him to discover the vital point in the discussion of any great issue as it enabled him to discover the vital point in the trial of a lawsuit. While still a young man as the central figure of a combination of nine energetic men in the Legislature, he succeeded in transferring the capital of the State from Vandalia to his home city, Springfield. To accomplish this required tact, diplomacy, industry and compelling ability, the same quality that brought about his election as captain of his company in the Black Hawk War.

Upon turning his attention to the general national issues of the country he early discovered the moral weakness and untenability of human slavery as being a part of the institutions of the Republic. He early recognized the fact that the American Nation was born with a disfiguring birthmark upon his brow and that that birthmark must eventually be effaced before the Nation could stand perfect among the other nations of the world, and yet with the full consciousness that slavery must be ultimately abolished in the United States, he was practical enough to know that the time for bringing about this great change must be selected under propitious and favorable surroundings, and that a premature attempt to abolish slavery, particularly by confiscation, would be apt to be ruinous to its advocates. Therefore, while determined to abolish slavery, he refused to join the abolitionists.

Lincoln preferred to bide his time and let the leaven of anti-slavery sentiment do its work in its own good time. He knew that under the Constitution of the United States slavery was recognized and tolerated, but also that under the same Constitution the confiscation of property rights was illegal. He, therefore, favored a moderate policy in the firm belief that a time would come in the history of the country when slavery could be abolished by compensation. None the less, he had no patience with the devious and shifting devices resorted to by statesmen of his day for the further extension of slavery into free territory.

If the abolition of slavery must await until a propitious time, nevertheless its extension to free territory, he insisted, should not be tolerated. The attempted extension of slavery to free territory he knew would be the rock upon which the party in power must be shipwrecked. There he took his stand and there he remained in the advocacy of the opposition to such extension until he found himself the leader in the Nation of those who opposed slavery. Fortunate for Lincoln was it that the great leader of the opposite doctrines of compromise and extension lived in his own State and city, where Lincoln could watch his career, analyze his mistakes and note his errors.

Douglas at heart was not a believer in slavery, but his long career in public life, particularly in the Senate of the United States, brought him in contact with all the leaders of the pro-slavery forces. He knew their strength, power, and ability. He knew the tenacity with which the slave-holders of the South had labored to preserve the institution of slavery. He was a patriot and lover of his country and he feared the power and strength of the proslavery people and feared that that strength and power would be utilized to rend in twain the Nation if the abolition of slavery by confiscation were attempted. Douglas believed he was struggling for the preservation of the integrity of the Union, and all his policies and all his speeches were designed and delivered with the purpose of preventing that calamity.

He was possessed of the idea that the slave-holding element had strength and power enough to bring about a severance between the states and a division of the Republic. He submerged the great moral issue in the interest of the integrity of the Nation. Lincoln took higher and loftier ground. He believed the time must come when slavery must be abolished and that when that time came no attempt to sever the Republic upon such an issue could prevail with the American people.

But until the time became ripe for the enunciation of the doctrine of abolition he was content to stand and fight along the line of opposing the extension of slavery to the territories

of the West. He determined that the citadel of slavery must eventually be stormed, impregnable as it seemed to be at the time. Outside of that citadel and in front of the citadel the friends of slavery had advanced their troops and erected entrenchments for the extension of slavery to the free territories. The citadel could not be captured until these entrenchments were stormed.

When Douglas maintained under the specious doctrine of state sovereignty that each state and territory had the inherent right to determine for itself within its own boundaries whether slavery should exist, and thus aligned himself with the slaveholders of the South in endeavoring to extend slavery into the free territories of the West in defiance of the Missouri compromise, Lincoln was the first of American statesmen to see that a breach could be made in these entrenchments. He challenged Douglas to an open debate on the prairies of Illinois on his views of State sovereignty and in that debate it is conceded by all historians that he unhorsed his great opponent.

When he compelled Douglas to answer his adroit question in this memorable debate the answer to which necessarily would and did commend him to the Democrats of the North but incensed against him the Democrats of the South, he destroyed forever Douglas' prospect for the Presidency. When Lincoln's friends and adherents advised him against putting the question, pointing out that Douglas might and probably would answer in such a way as to strengthen his hold upon the Democrats of Illinois for the United States Senate, the answer of Lincoln was, "I am gunning for bigger game," and his prediction proved true. Douglas' answer to that celebrated question propounded by Lincoln saved him in his candidacy for the United States Senate but lost him the Presidency of the United States, and eventually made Lincoln that President. His conduct in that marvelous joint debate between Douglas and Lincoln so enhanced Lincoln's reputation that his name was upon the tongues of most of the antislavery people of the United States.

Up to that time Senator Seward of New York and Mr. Chase of Ohio were the leaders of antislavery sentiment. Both of them were men of superior education, of the highest culture and of the most powerful intellect. Both of them for years were in official positions, trained in public office, far excelling Lincoln in the usual qualities which go to make up the ordinary statesman, and yet so powerful was Lincoln's rude but convincing logic in this memorable debate that it impelled the rank and file of the Republican party to choose him as their candidate for the Presidency in the convention of 1860. Lincoln had, by his merciless

logic, carried the State sovereignty entrenchments which Douglas had so cunningly constructed in front of the citadel of slavery.

Once installed in these entrenchments by his election to the Presidency he proceeded to construct in and upon them a fortress from which he could afterwards batter down and storm the citadel of slavery.

In the selection of his Cabinet Lincoln displayed extraordinary sagacity and acumen. To the position of Secretary of State he invited the cultured and seasoned statesman, Senator Seward, who was the best known and ablest opponent of slavery outside of himself in the United States. That great man, disappointed in his ambition for the Presidency, was reluctant to accept, but Lincoln appealed to his patriotism and his humanity and would not take "no" for an answer. When he finally did accept it was upon condition that Lincoln must disclose the names of the other members of his Cabinet.

Among these was Senator Chase of Ohio, another ardent Free Soil Republican, between whom and Seward there was a violent personal antipathy. Seward refused to sit in the Cabinet with Chase, and again Lincoln's wonderful sagacity and diplomacy was put to the test. How he accomplished the bringing together of these men will never be fully known but they finally yielded to Lincoln's firm demands and both were appointed.

To the great astonishment of the country, two Union Democrats were appointed, presumably for the purpose of assuring the South that it was not his design to commit an injustice or take from them their property without due process of law and just compensation. From thence on Lincoln's career in the White House was a marvel of ingenuity and statesmanship. Confronted with rebellion on the part of the southern States and with constant friction in his cabinet; with threats of resignation constantly renewed on the part of Chase; with insubordination and brutal opposition on the part of Stanton; with contempt and insolence on the part of Seward; assailed by an unfair and vituperative press; afflicted with incompetence among his generals in the field, he nevertheless piloted the ship of State through the most perilous period in American history when the very life of the Nation was at stake.

Men at his elbow in the cabinet intrigued against him, aspired to the position he held; obstructed his orders and nursed their own political ambitions and enmities in a way and to a degree that would have made the ordinary man lose heart and abandon the contest. Yet with a constancy, patriotism and ability but seldom if ever equalled in history, the dominant will of Lincoln prevailed. Finally, when he found himself strong enough and when the situation was opportune he prepared and submitted to his cabinet the immortal

Emancipation Proclamation, and despite the opposition of many of his most influential friends and sagest advisers, he gave the Proclamation to the world and fired the final batteries which in the end dismantled and destroyed the citadel of slavery. Nor was this done without an exhibition of remarkable sagacity and exalted statesmanship. It was promulgated to the world as a war measure. It announced to the people of the South that those in rebellion against the Union must suffer the loss of their human chattels if they persisted in their treason, and that that property must be utilized against them on the battlefield. He was prudent enough, however, not to have the emancipation of the slaves of those in rebellion against the Nation to take effect immediately. He fixed a time in the proclamation in the future when the emancipation would go into effect unless those who were in rebellion laid down their arms and ceased their war of treason, and it contained the proviso that if those in resistance to the Nation would cease their rebellion that they would be compensated for their property.

The time and the circumstances for the abolition of slavery had arrived. The hour had struck upon the dial of time. Without violating law or the Constitution and in furtherance of the preservation of the integrity of the Union he at last succeeded in effacing the birthmark of slavery from the fair face of the American Republic. No statesman was ever so tried and so beset under trial or so triumphant in a great crisis as was Abraham Lincoln in the Presidency of the United States in the greatest crisis of its history.

And now let us consider the man as the man of sorrow.

His whole career from cradle to the grave was pathetic with its burdens, its humiliations, its privations and its sorrows. His birth was sorrowful. His boyhood days were sorrowful. His youth, his manhood, his public career and private career all through his life was filled with the strain of unending sorrow.

His infancy was barefooted and ragged. He was forced to work at the coarsest manual labor from the time he was six years of age. When a mere lad he led the horses while his brother held the plow.

His father was a shiftless, unskilled carpenter, incapable of saving, or acquiring property. As soon as he was able to earn a wage Lincoln was hired out by his father to neighboring farmers and woodsmen for the most exacting physical labor, doing chores, chopping wood, splitting rails, acting as a flatboat man on the rivers, as general choreman around country stores. A more cheerless boyhood is not disclosed in history.

In his young manhood Lincoln appears as an awkward, angular, gawkish youth, ugly in face and ungainly in carriage, unlettered and untaught. He went to school but one year in all his life and the marvel is that he acquired a vocabulary and a diction such as is

disclosed in some of his speeches and State papers. His love affairs were unfortunate. Spurned by most young girls of his age, he had the misfortune to lose by death his first sweetheart, which affected him so keenly that his friends despaired of his reason. After her death his despondency was so acute and pathetic as to develop eccentricity, from which he slowly recovered.

His married life was unhappy almost from its inception. So doubtful was he of the prospect of married felicity that he failed and refused to be present on the appointed day for the marriage. Later on his courtship of his future wife was renewed and he finally consummated the marriage, only to have his most gloomy fears verified by many years of acute and constant married infelicity. So unhappy was his married life that his most reliable biographers state that while on the circuit when other lawyers went home of a Saturday to spend their time with their wives and children that he (Lincoln) remained in some obscure hotel rather than return to his own fireside.

The most pathetic picture drawn of Lincoln's unhappiness is that given by his law partner who states that during the lunch hour, in Springfield, Lincoln, instead of walking four or five blocks to his home for the midday meal, would go down to the grocery store underneath his law office and buy a few cents worth of cheese and crackers and munch them in his office to satisfy his hunger. Nor was his domestic infelicity alone filled with sorrow. His financial affairs were never prosperous. Scrupulously honest and desirous of paying his debts he was for years at a time constantly in debt and in order to pay these debts he was depriving himself of the necessities of life. It is said that when he was elected to the Legislature he had to borrow money to go to Vandalia, and when elected to the Presidency he was so short of ready cash, although he owned his home in Springfield and a small farm, that he was compelled again to borrow money to pay the expenses of the trip to Washington.

His public life, while glorious in its results, was everywhere bestrewn with vexations and annoyances. A considerable portion of the press was vituperative and abusive towards him. Members of his Cabinet were obstinate and irascible and, at times, insulting; all these things leading up to the final tragedy when he fell a victim to the bullet of an assassin. Such was the life of Lincoln, the man of sorrows.

His whole life and his death was a martyrdom.

If the spirits of the dead can, as we believe, look down and become conscious of the affairs of this world, what a glorious consolation must the spirit of Abraham Lincoln now be receiving beyond the grave. The burdens and sorrows of his life have been

glorified to him, to his children and to his country by the incomparable, magnificent name and fame that he has left in history.

No agonies that a human being could endure in this world could or would be shrunk from by any man who values fame if they could acquire such a fame and such a name as has been left by this incomparable American, the greatest humanitarian of his age and country.

I know of no man in profane history who has so endeared himself to men of all races, nationalities, religions or color as has the great American statesman and beloved son of Illinois, Abraham Lincoln.

PREPAREDNESS.

ADDRESS BEFORE NATIONAL SECURITY LEAGUE, CHICAGO, FEBRUARY 22, 1916.

Mr. Chairman and Gentlemen:

For over a century the Republic in which we live has been singularly blessed by Providence. For over a century the foot of no invader has been planted upon its shores. For over a century we have had no wars with other nations that were formidable in their strength. For over a century we have been engaged in no serious conflict with any first-class power.

Yet during all this time the American Republic has remained unequipped for aggressive warfare and but poorly equipped for defensive warfare with any first-class power, and has thus among all the great nations of the earth escaped the burdens of taxation entailed by the maintenance of a large standing army and a large navy.

Our good fortune in the past is attributable, first to the fact that we have been isolated from the great warlike nations of the world by reason of the expanse of water between this country and these nations, and secondly, by reason of the fact that this Nation has not been lustful of the acquisition of territory beyond the temperate zone of the North American continent, and, therefore, has not incurred the enmity or ill will of any great warlike nation. Because of our isolation during the past century and the peaceful and harmonious relations existing between the United States and the great world-powers, we have not maintained a large standing army nor created a formidable navy.

Up to two years ago the sentiment of this country was almost unanimous in favor of a small standing army and a moderately sized navy, because the people felt safe and secure of the immunity of the country from foreign attack. To have injected militarism into the American system with its necessary burdens of taxation would have ocasioned a revolt among the American people. Is this the situation today? Much as I favor peace among the nations, much as I favor the arbitrament of all disputes between nations, and much as I am opposed to militarism, I, with many hundreds of thousands of my fellow citizens, have reached the conclusion that the times and situations have changed.

and that this country is not now safe in assuming that it is immune or invulnerable from attack from abroad.

The greatest war in history has been raging for over eighteen months, during which the diplomacy of this country has been taxed to the limit to avoid being involved therein. A peace-loving President and administration have succeeded in keeping us out of a war in which all of the great manufacturing and commercial nations of the earth are now involved. To remain absolutely and thoroughly neutral without sacrificing the honor of the Nation has been the aim of the United States, and that aim, up to the present time, has been successfully maintained. But in maintaining that neutrality the citizens of this country have not been debarred by international law and comity from exercising the undoubted rights of neutrals, among which is to furnish contrabands of war manufactured in this country to the belligerents subject to the right of capture and confiscation upon the high seas. Many citizens of this country have been profiting by this right given to them by international law but, unfortunately, these sales have been made not to all belligerents, but to the belligerents on one side of the great war; this resulting from the fact that the allies have control of the seas, which has prevented the furnishing of such contraband of war to the German-Austro-Hungary powers.

All of the warring powers have endeavored to secure the sympathy and assistance of the American Nation, without avail The Nation has remained rigidly neutral and has thus disappointed all of the powers engaged in this frightful warfare. We are the only great commercial and manufacturing country in the world not involved and because of that fact our citizens have been coining money out of the woes and misfortunes of these belligerents. This frightful war has enriched the manufacturers of this country enormously and the cessation of the industries in Europe has feverishly developed all of our manufacturing interests to our great monetary gain.

By force of circumstances this country is being enormously enriched at the expense of all the warring powers. Because of this fact, a feeling of jealousy and dislike toward this country has developed in all the nations at war. Read the magazines and speak with those who have been in Europe and you will be convinced that the kindly and friendly feeling for America which existed among the nations of Europe up to the outbreak of the present war has changed. I believe today from what I have read and heard that the United States has not a friend in Europe.

The British empire believes we should sympathize and assist it because of the fact that we speak their language and have

adopted most of their civil institutions. The French republic believes we should have sympathized with it, remembering the fact that it was with the assistance of France that the independence of this country was secured. The German-Austro-Hungary powers believe we should sympathize with them because of the uninterrupted friendship that has existed between this country and those great nations during all of our past history, and because so many of their flesh and blood have contributed to the building up of this Republic and have become citizens thereof. We have disappointed all of them in taking no stand other than a neutral one during the present war, and all of them recognize that we are growing rich out of their misfortunes.

The situation then today is different than it was during the last century. First, we are not isolated as in the past because of the tremendous improvements made in modern warfare. Steam, electricity and the development of modern naval architecture have made it possible for any warlike country of Europe with a large army at its disposal to land that army upon our shores, if unopposed, within thirty days after a declaration of war.

New York and Philadelphia are nearer to London and Paris than are the Dardanelles, and yet, within the last few months, hundreds of thousands of troops have been landed from London and Paris upon the Dardanelles by naval transports within a very brief time. We are faced then with this situation today, differing with the situation that existed for a century. Instead of friendship with the great European powers we have jealousy and ill-feeling among all of them towards us, and secondly, under the present condition of modern warfare we are not isolated by the Atlantic Ocean. Can we then safely pursue the policy of the past century and remain an unarmed nation, unprepared for attack from abroad? I believe and it is my judgment that the overwhelming sentiment of America is that we cannot pursue our policy of unpreparedness that has prevailed in the past.

Today we have only about one hundred and twenty thousand troops in the Federal Standing Army, only about thirty thousand of which can be mobilized in case of war. The militia of all of our states aggregates about the same number of men. Our Navy, while efficient in its way, ranks only fourth in strength among the powers of the world. After this awful war is over, which ever side is victorious and whatever the result, we will be faced with the facts, first, that all of these powers are unfriendly, secondly, that they will have formidable armies of veteran troops, and thirdly, that we are enormously wealthy and that, therefore, the temptation to attack us will be great.

At the opening of hostilities the total national indebtedness of the European nations and their colonies did not exceed thirty billion dollars. During this awful war they have already increased that indebtedness to the extent of forty billions more. The total indebtedness of the United States does not exceed much more than one billion dollars, while the wealth of the United States will probably be equal to the total wealth of any two of these great powers. What a temptation to provoke a controversy.

China is a peace-loving nation, having over four hundred millions of population, and yet this peaceful nation with its enormous population and great wealth, is being overawed and intimidated by its warlike neighbor, Japan, which has a population of only seventy-five millions. The British empire, including its colonies, has over four hundred million subjects. Russia has one hundred and sixty-four million, Germany and Austro-Hungary one hundred and fifteen millions, France and its colonies sixty-four millions, Italy thirty-five millions, and Japan seventy-five millions. All of them will be, after this war, in possession of a trained, seasoned, soldiery, but hopelessly in debt. In view of this situation it will not do for us to cry peace, peace, and remain unprepared to resist aggression. No American wants an offensive war. Every American believes in defending his country against foreign aggression. The possibilities are so fearful to contemplate that we must change our policy so as to prepare a reasonable defense against foreign aggression.

Our National Army should be increased by an addition of at least fifty thousand more regulars. Our citizen-soldiery must be further cultivated and developed. We should have at least a half-million men in our citizen-soldiery drilled and prepared for war. Our Navy must be materially increased by the addition of men-of-war containing the most powerful modern guns and the Nation itself should undertake the establishment of a factory for the manufacture of the most modern instruments of warfare.

The young men of the country who join our National Guards should be compensated for the time they spend in becoming trained soldiers fit for the defense of the Nation. Today they practically receive no compensation. I believe every National Guardsman should be paid one dollar for every day or night that he spends in drill, provided he spends at least forty of these days or nights each year in actual attendance at drill. The students in the different colleges of the country receiving maintenance from the Federal Government should also be required to take a military course as part of the curriculum. There are over fifty of such colleges and today the State of Illinois has at its university at Urbana two thousand young men receiving military drill.

The Federal Government should be more liberal, both in its appropriations for the maintenance of the National Guards of the different states, and in furnishing trained soldiers to educate these young men in the methods of modern warfare. I hope the time may come in the history of the world as the result of the awful consequences of the present war that the nations of the world will enter into compacts to settle all disputes by arbitration and provide means for enforcing and keeping these agreements, but until that time comes the American Republic should put itself on guard against invasion from abroad and provide to a reasonable degree for the creation of a military force, both on land and at sea that can protect this country against the machinations and aggression of any nation or nations upon the earth.

ILLINOIS' NEEDS FOR GOOD ROADS.

ADDRESS DELIVERED AT JACKSONVILLE, ILLINOIS, MARCH 7, 1916.

Mr. Chairman and Gentlemen:

For the greater part of my life a resident of our metropolis, and during many years more or less a part of its public service, I was none the less uninformed as to rural highway conditions in our State of Illinois.

I knew from my early years what the roads of Illinois were. My travels, my reading and my contact with men from the counties outside of Cook, kept me well informed, especially as I had always been intensely interested in the problem of highways and had made it a point to keep posted. As mayor of Chicago and as judge of the courts of Cook County, I gained practical knowledge of the progress of street building, and after all, the problem in the city or country presents many similar phases.

I could well remember the remonstrances that accompanied the agitation for improved streets in our cities. We were told by honest, sincere people, that our streets could not be paved; that paving meant personal and corporate bankruptcy; that the benefits pictured by good street advocates were irridescent dreams. We can all recall those things, for we have only started to pull our cities out of the mud during the last twenty years.

We all know what has happened. Opposition to good streets has passed. It has been transformed into demand for the best streets. We know how the cost of such improvement has decreased and the quality has risen. There are scores of the villages of our State which boast the best pavements, and our larger cities are paved to the extent of from 50 to 75 per cent of their street mileage.

I was not surprised when I made my campaign for Governor, nearly four years ago, to find our public highways in such a disreputable condition, little better, in fact, than I had known as a boy.

I realized from a new experience how perfectly humiliating was our place as twenty-third among the states in the area of permanently improved rural highways.

Here was my State, the State whose public interests I was anxious to be elected to serve as Governor, the richest in agricul-

tural products and land values, its soil on the average three times as valuable as the soil of the United States in general, yet its rural life embargoed and isolated by the most primitive means of communication, its markets, its centers of business and its gathering places of men and women separated from community life by impassable barriers.

The Federal reports told me that only ten per cent of the 95,000 miles of road in Illinois were improved in a permanent manner, against thirty-eight per cent in Indiana, twenty per cent in Wisconsin and Kentucky, twenty-eight per cent in Ohio and fifty per cent in Massachusetts.

On every hand I thought I saw the time was ripe for a great forward movement in this matter. The agitation for better roads which had been more or less active for a number of years had begun to assume a determination to do something concrete. Property owners, land owners, city and country people alike were coming to see and to understand what a tremendous, economic and social loss was entailed by our poor roads.

In my inaugural message in January, 1913, I devoted space to as strong a presentation of this subject as was within my power. This message contained the following passage: "The loss to farmers because of inaccessible primary markets, and the abnormal expense of transportation due to bad roads, must be considered as a contributing cause of the high cost of living. * * * Bad roads not only hinder crop production and marketing, but they keep the rural consumer away from the store of the merchant for weeks at a time. They keep the pupils from the schools and voters from political gatherings and from participating in elections. They impair the efficiency of churches, and social, fraternal and other organizations. Bad roads contribute to the unattractiveness, the isolation and the monotony of country life that are responsible for the desertion of rural precincts, especially by the young. Experts in mental ailments agree that women in remote sections are the chief sufferers from the restrictions of communication and social intercourse which bad roads impose."

THE TICE ROAD LAW.

The recommendation of the message touched the legislative heart and the Tice good roads law was the result. You are all familiar with its salient features. No subject has been so much discussed or is better understood. The last General Assembly remedied defects which a little experience had uncovered in the original, and amplified its terms to make it more elastic to meet

the varying conditions and ideas prevailing in different sections of our State.

We are now at work under this law. The courts have passed upon its validity. Organization, State, county and township, has been perfected and excellent progress has been made and the future is very bright.

The most important new power granted to counties by amendments to the Tice law is the right to issue bonds for construction of State aid roads, these bonds to be redeemed annually from the State allotments and the county equivalence. The advantage of this act is that the people get the benefit of a system of good roads at once, rather than by piecemeal, and the difference in cost is the interest on the bonds.

For instance, this county, let me say, has 100 miles of designated State aid road, the total cost of construction of which would be one million dollars.

Your annual allowance from the State distributable fund is, we will say, $20,000, to which you add, under the provisions of the law, a like amount, giving you $40,000. At ten thousand dollars a mile you could therefore build four miles of road in a year, or the full one hundred miles in twenty-five years.

The bond plan permits you, by approval of the people, to issue one million dollars of bonds with which to construct the 100 miles of State aid roads at once. It's all done and finished in one job and you will be able to enjoy and get the benefit of the whole system. Each year thereafter you will get your share of the State funds, or $20,000. You add $20,000 to it and apply $40,000 to the debt. In twenty-five years the entire issue will have been cancelled. During that time you will have enjoyed and profited by the 100 miles of road.

The difference in cost between the two methods, as I have stated, is the interest charge, which will be more than counterbalanced by the returns from the investment, such as better prices for products and a more satisfactory social, religious and political life.

To find out just what this interest charge will be, suppose that a county decides to issue one million dollars in bonds for the purpose of improving their designated State aid routes, and that they propose to take three years' time to complete the work. Let us suppose that the first year they will need $300,000 for the work, the second year $350,000 and the third year $350,000. The county decides that they must extinguish this debt in 20 years, or in other words that the bonds must all be retired 20 years from the date of the first issue. Let us say that these bonds, which will bear interest at 4 per cent, will be issued as follows:

$300,000—first year;
350,000—second year;
350,000—third year;

and that $50,000 worth of these shall be retired each year.

From the following table you can tell just how much money will have to be raised each year to take care of the maturing bonds and the interest.

Year.	Amount of bonds that will be outstanding.	Amount of bonds that will mature.	Interest on outstanding bonds at 4%.	Total amt. to be raised.
1	$300,000	$50,000	$12,000	$62,000
2	600,000	50,000	24,000	74,000
3	900,000	50,000	36,000	86,000
4	850,000	50,000	34,000	84,000
5	800,000	50,000	32,000	82,000
6	750,000	50,000	30,000	80,000
7	700,000	50,000	28,000	78,000
8	650,000	50,000	26,000	76,000
9	600,000	50,000	24,000	74,000
10	550,000	50,000	22,000	72,000
11	500,000	50,000	20,000	70,000
12	450,000	50,000	18,000	68,000
13	400,000	50,000	16,000	66,000
14	350,000	50,000	14,000	64,000
15	300,000	50,000	12,000	62,000
16	250,000	50,000	10,000	60,000
17	200,000	50,000	8,000	58,000
18	150,000	50,000	6,000	56,000
19	100,000	50,000	4,000	54,000
20	50,000	50,000	2,000	52,000
	.....	$1,000,000	$378,000	$1,378,000

The interest on the million dollar bond issue for the period of 20 years will be $378,000.

By issuing the bonds in three years and in amounts just sufficient for the work, there is secured a saving in interest for the first year of 4 per cent of $700,000, or $28,000, and for the second year a saving of 4 per cent of $350,000, or $14,000, making a total of $42,000 saved in interest if we issue the bonds according to the above plan instead of issuing the full amount the first year.

A bond issue, by a provision of the Constitution must not exceed 5 per cent of the assessed valuation of the county, so the county which we suppose to issue this amount of bonds must have an assessed valuation of $20,000,000.

The average annual interest on our proposed bond issue is three hundred and seventy-eight thousand twentieths, or $18,900. This means that a county having an assessed valuation of $20,000,000 must levy a tax of 9½ cents on each hundred dollars of assessed valuation. The average equalized assessed valuation

of the farm land in Illinois is $20.19 per acre. This means that the interest cost will be less than 2 cents per acre per year.

ADVANTAGES OF BOND ISSUES.

There are five good substantial advantages to be gained from improving the roads with funds realized from bond issues: First, the community has the use of a considerable mileage of improved roads much sooner than they would have under the system of building each year only the amount possible with their State aid allotment, together with the money put up by the county. Second, the cost of construction is lowered considerably, as a large mileage can be constructed all at once much more economically and efficiently than by building short stretches each year. Third, the maintenance charge is taken off the county and paid by the State on State aid roads if brick or concrete, and the maintenance of gravel and macadam State aid roads is divided equally between State and county. Furthermore, the maintenance charge per mile on a connected system of improved roads will be much less than if there are several isolated sections to be kept up; and on gravel and macadam roads, one-half the maintenance of which is paid by the county, such maintenance charge, if these roads are a part of a system, will be much less than if such sections are separated from each other by stretches of unimproved roads, which means that the county which builds the roads all at one time will have the maintenance charge lessened considerably on those roads which must be kept up by the State and county together. Fourth, financing road improvement by bond issues places the cost of the improvement on those who share the benefits. Fifth, a system of good roads will increase materially and substantially the value of surrounding property much quicker than their value can be increased by spreading out the road improvement over a period of 20 years. It seems that the advantages gained from such a method are worth immeasurably more than the interest charge of 9½ cents on the hundred dollars assessed valuation.

Vermilion County has voted $1,500,000 for 175 miles of road. Cook County has voted two million. Thirty counties are either ready to vote upon bond issues or are seriously agitating it, the proposed aggregate being twenty million dollars.

Since the Tice law became effective on July 1, 1913, the General Assembly has appropriated a total of $3,100,000. The counties will have matched this amount, making a total of $6,200,000 available for State aid roads up to June 20, 1917.

Happily, the fear that hard roads are going to bankrupt us is fast disappearing, because we have been able to demonstrate by

practical experience and by undeniable statistics that such a disaster is impossible.

The Illinois system of State aid roads comprises 16,000 miles or about seventeen per cent of the total 94,000 miles of highway. Of these 94,000, about 9,000 miles are improved. If we assume that 3,000 of these 9,000 miles of improved roads are included in the 16,000 miles of State aid system, we have left 13,000 of the system yet to be constructed.

COST OF STATE AID SYSTEM.

The State Highway Commission estimates the cost of this construction to be $129,000,000. Spread over twenty years, this sum will require $6,450,000 annually. Estimating the assessed value of the State for the next twenty years at an average of three billion dollars per year, the $6,450,000 annual requirement for State aid roads will cost the taxpayer $0.215 per $100 of assessed valuation. A man owning a $1,500 piece of property, assessed at a third or $500, would pay $1.07 per year.

Under the State aid system, it is estimated that the farms will pay forty per cent of road improvement, the other sixty per cent coming from personal property, cities, villages and corporations. The farm's proportion of the $6,450,000 annual expenditure on State aid roads would be $2,580,000. Divide this by the acres in the State and we have a tax of .07 per acre per year for twenty years to improve these 13,000 miles of State aid road.

Our system provides for improving only twenty per cent of the total road mileage, but this twenty per cent carries eighty per cent of the traffic. But our townships are now levying $7,000,000 annually for roads and bridges and this sum will be expended upon the eighty per cent of mileage outside the State aid system.

The system of State aid roads, as laid out by the counties and finally approved by the State, will connect the cities and villages of each county and the cities and villages of all other counties. Study has shown us that from sixty-five to seventy-five per cent of all farms within a county will either front directly on a State aid road or on a road only one mile distant and that very few, if any, of the remaining farms will be more than three miles distant.

In the three years of operation under the Tice law, a splendid start has been made. The perfecting of the organization and machinery required much time. Few enterprises of such magnitude, involving the cooperation and coordination of State, county and town organizations, having so much of detail to work out have gotten on their feet so quickly as has our State aid system of good roads. The greatest achievement has been the preparation of road maps by 102 counties and their revision by the State Commission

so that all State roads unite at the county lines and we have a comprehensive, connected, continuous, practical network of 16,000 miles of public highway, uniting the Wisconsin border with Cairo and the Indiana line with the Mississippi.

PROGRESS MADE IN WORK.

At the close of the year 1915 there had been completed 90.5 miles of concrete, 22.4 miles of brick, 1.2 miles of gravel and 1 mile of macadam road, a total of 115 miles. Eighty-one bridges had likewise been built. In addition to these 115 miles, the State Highway Commission supervised the construction of eighty-two miles of township road in 1915.

During 1916 we expect that 470 miles of State aid road will be built. Many counties are going to try oil. The commission will permit the use of State aid funds for oiling under certain restrictions, though it does not recommend this method and many road students are skeptical of its economic value. The 470 miles mentioned will be made up of 11 miles of brick, 58 miles of concrete, 22 miles of gravel, 5 miles of waterbound macadam, 6 miles of bituminous macadam, 250 miles of oiled road and 120 miles of plain earth.

Consequently, gentlemen of Jacksonville, I believe that Illinois is fairly started upon one of its very greatest and most important enterprises, one that will benefit the business and social interests of its people far beyond our fondest dreams.

The pioneering has been done. Opposition based on fear and ignorance has given place to satisfaction and interest. We have a law that is elastic and comprehensive. Our theory of State aid is correct in principle and workable in practice. In ten years our position in the matter of public highways will be of fame rather than of notoriety.

ILLINOIS' CONTRIBUTION TO PREPAREDNESS.

ADDRESS, DEDICATING SECOND REGIMENT ARMORY, APRIL 26, 1916.

Mr. Chairman, Ladies and Gentlemen:

The dedication of a regimental armory, erected by our State at a cost of half a million dollars of taxes, cannot fail to move our people not only by the impressiveness of a duty well performed, but also to a concentration of our thoughts again upon the great topic of national discussion—military preparedness.

From the records of the Adjutant General's office we find that this magnificent structure which we dedicate today, was begun in 1911, when the Forty-seventh General Assembly made the initial appropriation of $200,000.

The next General Assembly furnished $100,000 plus the proceeds of the sale of the old armory, $45,825, and the last Legislature provided $125,000, making a total of $470,825.

During the last three years Illinois has made more ample provision for the upbuilding of its citizen soldiery than in any other three years of recent times.

The last two General Assemblies, both sitting during my term as Governor, made approprations for new armories and military buildings amounting to $1,666,281.

The same two Assemblies appropriated for the ordinary and contingent expenses of the National Guard, and Naval Reserve, the maintenance of the Adjutant General's office, etc., a total of $1,937,915.

Adding this expenditure to that authorized for new structures, we have an aggregate of $3,604,197 provided by the taxpayers of our own State as their contribution to the maintenance and development of a national defense system.

The State now owns and occupies military buildings worth, at conservative estimate, $1,407,849, the oldest of which was erected in 1902. And there are in course of erection now military building costing $410,000. It has leases upon forty-nine buildings used for armory purposes.

The State, in addition to these buildings, owns and operates two rifle ranges worth $220,000, and leases and operates fourteen other ranges.

Military buildings are now open or in process of construction as follows: Chicago, four; Aurora, Galesburg, Ottawa, Kewanee, Quincy, Woodstock, Springfield, Camp Logan, Camp Lincoln, Kankakee, Monmouth and Peoria, one each.

Our military organization consists of the Governor as Commander in Chief, one administration staff, two brigades of three infantry regiments each, and one additional infantry regiment attached to each, with fully authorized sanitary attachments; one regiment of cavalry, six batteries of field artillery, two field hospital companies, one engineer company, one signal company The total land strength organized and equipped for active field service approximates 7,000. The Naval Reserves consist of 800 men.

Military men, both those belonging to our guard and those detailed by the U. S. Army to study and train our organization, freely tell me that our militia has made splendid progress during the last three years.

In proof of their assertion they point to conditions which existed prior to the rehabilitation which is the result of National and State cooperation under reeent wholesome laws of Congress and of our Legislature. Schools for officers, correspondence schools for the enlisted man and the noncommissioned officer, continuous and searching inspection, instruction by U. S. Army officers and the liberal allowance of money have put a new life and spirit into our military system.

For the last two years in public addresses I have favored the idea embodied in what is known as the "pay bill", which provides a fixed sum for each private and officer for each regular drill of his organization which he attends, provided such privates and officers attend at least forty drills a year.

In 1913, at the first encampment of the Illinois National Guard in my administration, I advocated this plan in my address to our troops. I favored it before officers and civilians who called at the commander's headquarters during the encampment.

I believe it is equitable and just.

Under the new requirements, I am told, that it is necessary for officers to spend several evenings a week at headquarters and the enlisted man must give up time and priviliges to meet his military obligations. In addition to this there are certain cash outlays by both officers and men which a great nation should be ashamed to require of those who are to form the nucleus of its defense in time of need.

It has been my pleasure to favor and approve liberal and reasonable appropriations for the development of our National Guard.

I have insisted upon another thing. I have refused to permit politics of any kind to be introduced into our National Guard. Its officers have continued to serve without change except as promotion came their way through merit or they voluntarily retired. I set my hand and heart against political interference with our military establishment and am glad to be able to say I have maintained this ideal. The military department of the State must be kept free from politics.

IRELAND IN AMERICA.

ADDRESS BEFORE THE FRIENDLY SONS OF ST. PATRICK, PHILADELPHIA, PENNSYLVANIA, MARCH 17, 1916.

Mr. Toastmaster and Gentlemen:

It is with much pleasure that, at your kind invitation, I address your influential organization upon the subject, "Ireland in America."

I recognize the fact that this organization is probably the oldest of its character in the United States, and that it had the distinguished honor of having upon its first roll of membership not only many of the men who contributed to the success of the American forces in the War of the Revolution, but that the great Washington himself accepted honorary membership therein. From the time of your organization, in the Revolutionary War, I am informed that without a break you have been celebrating, annually, the Irish National Holiday on the 17th of March, and I regard it as a distinguished honor to be invited to follow the many great men who have addressed your organization upon such occasions.

The first commemoration of St. Patrick's Day in America was inaugurated by George Washington at Boston, with a procession and celebration that is historic. On March 17, 1776, Washington issued the following order of the day while in camp outside of the city of Boston: "Parole, Boston; Countersign, St. Partick; Brigadier General of the Day, John Sullivan." Under the marshalship of the Irish-American, John Sullivan, the first St. Patrick's Day procession in America started to the music of the "Wearing of the Green," the British troops in front, filing out of Boston, and the ragged troops of the young Republic behind them filing into Boston.

Who can criticise your organization or any other organization for keeping up a celebration so gloriously commenced?

Let us not forget that Irish valor, Irish blood and Irish brawn had much to do with bringing about the situation which culminated in the evacuation of Boston, and the final triumph of the American arms. Colonel James Barrett was one of the commanding officers at Lexington. The register of the New Hampshire regiment that fought at Bunker Hill contained 71

Irish names, and was commanded by an Irish-American, Colonel John Stark. Mad Anthony Wayne was of Irish birth or parentage.

Richard Montgomery, who yielded up his life in the hour of victory before Quebec, was of the same fighting race. The same Montgomery of whom Lord North savagely declared: "He was brave, he was able, humane and generous, but a rebel. A curse upon his virtues! They have undone his country."

Colonel McClure, who fell at the head of his troops at Waxhaw, was an Irishman. General Stephen Moylan, on Washington's staff, was an Irishman. Both the Sullivans, James and John, were the sons of Irish fathers.

The Irish John Glenn presided at the meeting of the Sons of Liberty in Savannah on July 14, 1774, and at the same meeting were the Irish Farley, Bryan, Gibbons and Butler.

From the Irish-founded city of Belfast, Maine, to Savannah, Georgia, where the Irish Sergeant Jasper gave up his life in the cause of American liberty, every colony gave its quota of Irishmen to fill the rank of the American Revolutionary Army.

The records of the War of the Revolution show that four Irish-American Major-Generals served in that war. They are as follows: Richard Montgomery, Thomas Conway, John Sullivan and Henry Knox. The same roster shows that twelve Brigadier-Generals were Irish-Americans, and they are as follows: John Armstrong, William Thompson, Andrew Lewis, Wm. Maxwell, Anthony Wayne, James Clinton, James Moore, Joseph Reed, John Nixon, William Irvine, Edward Hand and Richard Butler.

Most of these men were actually born in Ireland or were the sons of men born in Ireland.

Among the men who served in the French army which was cooperating with the American Army, were Captain Jacques Philippe D'Arcy, who died at Savannah, Captain Commandant O'Neill, who was wounded at Savannah, Arthur Dillon (Count de Dillon), Lieutenant Colonel Barthelemy Dillon, Captain Denis d'Hubart du Barry, Count de Dune (name also given as O'Dunn), Captain Mullens, Captain Isidore Lynch, Captain MacDonnal, Lieutenant de la Roche Negley, Lieutenant O'Farrell, Major Jacques O'Moran, Captain Jacques Shee, Lieutenant George Taafe and Captain Ferdinand O'Neill.

The Irish brigade in the French army under command of Count Dillon numbered twenty-three hundred men. Parke Custis, Washington's adopted son, wrote: "Inscribe upon the tablets of American remembrance eternal gratitude to Irishmen."

In the Pennsylvania regiments were hundreds of Irishmen, many of whom came from the Irish townships of Tyrone, Raphoe,

Derry, Coleraine and Mountjoy. Not only were the French and American armies filled with men of Irish blood and lineage, but the Irishmen wearing red coats in the English army were so strongly in sympathy with the American cause that they refused to fight the American troops. Lord Howe wrote to the English War Department: "Send me troops from England. In a war against America I cannot depend upon the Irish. They have too much sympathy for the American people."

The Irish-American won his right to claim American citizenship in every battle fought in the American Revolution from the initial fight at Lexington to the final surrender of the British troops at Yorktown. And the right he earned in the War of the Revolution, he gloriously maintained in every war that followed in American history. Andrew Jackson, afterwards President of the United States, commanded at New Orleans and drove the last of the red coats forever from American soil. And Andrew Jackson boasted that he was born "somewhere between Carrigfergus and the United States."

Jack Barry, the father of the American Navy, had good warm Irish blood coursing through his veins.

In the Mexican War, General Shields and thousands of other Irishmen spilled their blood upon Mexican battlefields in the furtherance of the American cause.

In the War of the Rebellion, upon the roll of honor, will be found the names of Mulligan, Corcoran, Meagher, Smith, Kearney, Sweeney and Sheridan.

No finer tribute to the valor of the Irish race in defense of the integrity of the American Nation can be found than that of the English correspondent of the London Times, who, in describing the conduct of the Irish Brigade at Fredericksburg, under General Meagher, wrote: "They best bespoke the valor of a race which has found glory upon a thousand battlefields and disgrace upon none; for never at Fontenoy, Albuera or Waterloo was more heroic courage displayed than by the Sons of Erin at the foot of bloody Mary's Heights."

And no man throughout that great death struggle for the maintenance of American autonomy, excepting Grant and Sherman, contributed more to final success of the Union Armies than did the thunderbolt of the Shenandoah Valley and the hero of Winchester, Philip Sheridan.

But why prolong the story of Irish-American courage and devotion? The first and among the last of American Presidents, and these; two of the five American Presidents who have become titanic in American history, have publicly attested their appreciation of

the noble part that Irish-Americans have played in the history of this great Republic.

Washington, in his day, declared: "I hope to see America ranked among the foremost nations of the world, and I presume the Irish will not forget the patriotic part which they took in the accomplishment of our rebellion and the establishment of our government."

And Roosevelt, in this day, has written: "The Irish in the West were almost what the Puritans were in the North and more than the Cavaliers were in the South. The West was won by these same men *who before any others declared for American Independence.* That these Irish were a bold and hardy race is proved by their at once pushing past the settled regions and plunging into the wilderness."

The Irish-American citizen has distinguished himself in peace as well as in war; in the council chamber as well as upon the battlefield; in the Presidency, in the Senate chamber, in the lower House in our Legislature and in our courts, on the bench, at the bar and in all the professional and mercantile pursuits.

Presidents Jackson, Buchanan and Arthur were all of Irish blood. Calhoun, Butler, Shields, Fitzpatrick, Jones, James G. Fair, James Phelan, Thomas J. Walsh, William Joyce Sewell, O'Gorman, Shields of Illinois, Missouri and Minnesota, and Shields of Tennessee, have given luster to the Irish name in the American Senate. McAdoo and Hynes, Foran and Finnerty, McCann and Cochrane, with hosts of others, have left their impress upon American history as members of the lower House. Among the governors of our States we have had a Bryan in Pennsylvania, a Burke in North Carolina, a McGill in Minnesota, a Patterson in New Jersey, a Sullivan, Talbott and Walsh in Massachusetts, a Fitzpatrick, a Moore and a Murphy in Alabama, a Burke in North Dakota, a McKinley in Delaware, a Young in Ohio, a Byrne in South Dakota, a Glynn in New York, an O'Neal in Alabama and a Boyle in Nevada.

Gaynor, Moran, Ryan, McKenna and a host of other great Irish-American judges have left imperishable names as jurists upon the records of our courts. Among our prominent mayors of great cities we have had Duane, Brady, Grace and Gaynor in New York, O'Brien, Collins and Fitzgerald in Boston, Doyle and McGinniss in Providence, Dempsey in Cincinnati, O'Neill in Milwaukee, Fitzpatrick in New Orleans and Phelan in San Francisco.

Charles O'Connor was for years the leader of the American bar, and Dr. Agnew, the leader of the medical profession, and today, Dr. John B. Murphy is the leader in American surgery. A Ryan is among the leaders of American finance. John C. Calhoun, the

oratorical rival of Daniel Webster, was of Celtic blood and Daniel Dougherty, Burke Cochrane and William J. Bryan, whose father proudly owned he was of Irish origin, can well be ranked with Webster, Clay and Ingersoll as the leaders of American oratory.

The Irishman, A. T. Stewart, was in his day the prince of American merchants, and, today, the Cudahys are among the great packers and provision dealers of the world. A Healy founded the greatest emporium for musical instruments in the world.

Among the most brilliant of American artists were George Barrett, George P. A. Healy and Thomas Moran.

Among American sculptors we find Andrew O'Connor, Mulligan, John Henry Foley, John Hogan and St. Gaudins. Among its actors we find Boucicault, Tyrone Power, John McCullough, John Brougham and Sheridan Knowles, and among its poets we find Charles G. Halpin, John Boyle O'Reilly, James Jeffrey Roche and Mayne Reid.

The vigor and intellect of the race which gave from its native heath to history such men as Swift, Sheridan, Curran, Grattan, Burke, Goldsmith, O'Connell, Moore and Wellington, has not been impaired by having its sons and their descendants transplanted to American soil.

In this country, as in every other country to which the members of the Irish race have been transplanted, it has retained its vigor and virility.

"Here and hereafter the Celtic race will hold its own!"

"Oh, the fighting races don't die out,
If they seldom die in bed,
For love is first in their hearts, no doubt,"
Said Burke; then Kelly said:
"When Michael, the Irish Archangel, stands,
The angel with the sword,
And the battle-dead from a hundred lands
Are ranged in one big horde,
Our line, that for Gabriel's trumpet waits,
Will stretch three deep that day,
From Jehoshaphat to the Golden Gates—
Kelly and Burke and Shea."
"Well, here's thank God for the race and the sod!"
Said Kelly and Burke and Shea.

The Irish-American citizen may well be proud of the part that men of his race have played in the history of America. They have been loyal to their adopted country in her every hour of trial, and in the years to come they will continue to be as loyal and patriotic.

Whether the attack upon the Republic be from without or from within, he will rally to his country's call, and whenever the bugle call of patriotism is heard upon the blast, I predict that the Irish-American will cheerfully and promptly respond to that call.

While we love and revere the land of our fathers, our first love and loyalty is due to the land we live in. That land has extended to us her open arms and welcoming heart. She has given us a home and a country where we can raise our children in the love of God and country with liberty secured and justice enforced. We have proved our gratitude, patriotism and loyalty in the past, and will continue to do so in the future.

At no time in history ought the naturalized citizen of this nation be more careful in placing the interests of this Republic above all other interests. In the awful war now prevailing in Europe it would be less than human if the naturalized citizens of the Republic, no matter from what country they may have come, did not, deep down in their hearts sympathize with their kith and kin beyond the sea in the struggle now devastating Europe, but, as American citizens, it should be their duty, at the present time, in view of the many complications arising in the diplomatic relations between this Republic and each and all of the warring powers, to restrain the expression of these sympathies and keep this country free from envolvement in that awful conflict.

Fortunately, the American Nation has not become involved, and it should be the hope and prayer of every American citizen, whether native born, or naturalized, that this country shall not become involved in that conflict.

Nothing is more likely to embarrass the Government of this country in its efforts to preserve strict neutrality than the doing of acts and the expression of sentiments which are unneutral. Nation after nation, not originally involved in the conflict, have been dragged into it against the consent and approval of its citizens. This Nation must not be so involved, and the surest way to keep from being so involved is to refrain from doing any act or expressing any sentiment that is unneutral.

God grant that this war may soon be over without the envolvement of the American Nation, but until that happy event shall come, let us by word and act uphold the policy of the Nation to preserve peace with honor.

In American politics we belong, and I hope will continue to belong, to different political parties, but in exercising our franchises, let us always put patriotism before party, principles before men, and man before mammon. Let us so guide our conduct in American life as to vote and act for the best interests of our country. Place not expediency or personal profit before principle.

Vote for no party that advocates that which you deem detrimental to best interests of the general public. Vote for no man whose character is not clean, or whose motives are not pure.

In times of war you need not be admonished as to your duty. You have shown it on a hundred battlefields. The splendid heritage that has descended to us from our fathers in war and peace we will preserve and transmit to your children, to whom we will ever teach loyalty to and love for the Constitution and laws of the great Republic.

Let us leave these children a heritage far more valuable than power or wealth, the heritage of patriotism and love for the greatest and grandest Nation upon the earth, the United States of America.

THE FUNCTION OF THE MODERN HOSPITAL.

ADDRESS AT PANA, ILLINOIS, APRIL 24, 1916.

Mr. Chairman, Ladies and Gentlemen:

During the past forty years the State has taken an active interest in two matters which have much to do with the medical profession. One of these is the protection of the people from contagious and pestilential disease and the other is the protection of the public from unqualified or unscrupulous physicians or other practitioners.

Within that forty years the attitude of the public mind toward subjects of this kind has very materially changed. The institution for the insane was formerly an asylum in which the insane person was confined more for the protection of the public than for the welfare of the patient himself. In the same way the warfare against contagious disease was looked upon as merely a process of isolating the patient for the protection of the public rather than that of considering the welfare of the patient and preventing his affliction. The policy pursued in regulating the incompetent practitioner consisted chiefly of restraining the unfit practitioner rather than elevating the educational standards of all practitioners.

Within recent years the State has assumed a very different policy in securing its ends. While the isolation of the sufferer from contagious disease is not ignored, the prevention of contagious disease has become an infinitely more important matter, and the State at the present time, operating through the State Board of Health, is much more constantly engaged in educating the people so that contagious diseases may not occur than in dealing with the victim of the disease.

While the unfit physician is prohibited from practice, much more is being accomplished by raising the standards of medical education and in training the people to impose their confidence only in physicians of proper intellectual, scientific, and moral qualifications.

In the performance of these definite functions by the State great assistance is rendered by the modern and well-equipped hospitals which are being established in the more progressive communities. I am advised that the day is soon coming when a community will not feel satisfied in merely isolating the sufferers from

contagious disease, but when it will be accepted that there should be provision in the general hospitals for suitable wards for the humane and scientific care and treatment of sufferers from these diseases.

The well-equipped hospital is the center in which the physicians of a community come together for the interchange of ideas and where there is developed a special skill in particular lines of work by the individual members of the medical profession, and so the community which centers its medical work about a general hospital is doing far more to elevate the standards of the medical profession than that community in which the medical men are working separately and alone.

So it is believed that the establishment of an excellent hospital, such as the one here in Pana, is of material assistance to the State in those functions which it performs in connection with the medical profession.

As I have intimated, the time was when the State of Illinois was satisfied in maintaining asylums for the safe housing of the insane, the feeble-minded, and the otherwise afflicted. That day is past. Even the term "asylum" has been dropped by the State government and the institutions for the insane and for the feeble-minded are now designated as hospitals, and they are hospitals in every sense of the word. In these institutions at the present time the mental conditions are accurately diagnosed by the best means known to science and each patient is given the benefit of individual scientific treatment. The State has come to know that the employment of the best scientific equipment and the employment of the best hospital facilities is splendid economy in the long run in dealing with its charges, and the people of Christian County will find that this hospital with its excellent facilities will prove a means of real economy in caring for the destitute sick who must be cured of their afflictions or who would remain permanent charges upon the public purse.

The aim of the State hospitals is to cure or care for those who have become permanently disabled or are threatened with permanent disability. The aim of the local hospitals should be to cure and care for those who are temporarily disabled. The State acts gratuitously in caring for the former class and the local institutions should extend its benevolent objects gratuitously for those who are, unfortunately, unable to pay for the same. Those who can pay should pay but there is, unfortunately, a class in all communities who are unable so to do, and local communities should endeavor to care for the wants of such destitute sick as are not able to care for themselves.

I congratulate the citizens of Pana upon the splendid work they are doing in organizing and sustaining their present hospital.

THE FUNCTION AND WORK OF PUBLIC UTILITIES COMMISSION.

ADDRESS TO EMPLOYES OF CENTRAL UNION TELEPHONE COMPANY, SPRINGFIELD, ILL., APRIL 13, 1916.

Mr. Chairman, Ladies and Gentlemen:

I have accepted, with much pleasure, the invitation to be present at this meeting, especially because of the fact that I have always been deeply interested in the instrumentalities through which public service is given the people. I am particularly pleased to be amongst the men here present, as I am thereby assured of a special interest in the subject of public utilities.

At the time the people of the State honored me by my selection as State Executive, and for some years prior thereto, public service in the State was in a very unsatisfactory condition, due largely to a lack of system or of coordination and effective regulation, and so deeply impressed was I with those facts that I sought to impress the necessity of improvement in the public service upon the very first session of the Legislature to convene after my election.

In my first message to the General Assembly I recommended the creation of a Public Utilities Commission and gave the following reasons for such recommendation:

The day of competition in the supply of gas, electric light and power, street railways, and some other public utilities has passed. Monopoly in these matters has come to stay.

In these modern days no municipality can tolerate the tearing up of its streets, every few months or years, by rival water, gas, electric light, heating, or telephone companies in the laying of pipes, wires, and conduits.

Only one utility producing concern should be allowed that privilege for each utility in each city.

That concern must be either the municipal corporation itself or a private corporation.

The sole aim of a public corporation is to operate to the satisfaction of the community, which is always assured by giving the best service at the lowest rate.

The sole aim of all private corporations, unregulated by law, is to make money for their stockholders, and the most money can be made by poor service at a high rate to the consumer.

The only question, then, is whether the public shall own and operate thru State or local agencies, or whether it shall allow these utilities to remain in the ownership and control of private corporations and regulate them by law.

Important as it is to give cities the right to manage their own public utilities, it is also important to give to State and local bodies large powers of regulation of the public utilities that remain in private hands.

These utilities may be broadly classed as "intraurban" and "interurban". In other words, they are either local in character, confined to a city and its suburbs, or they run thru country districts and connect one place with another.

In the latter class are included interurban electric railways, natural gas mains, electric transmission lines, and a considerable portion of the telephone systems of the State.

In the other class are included city gas, electric light and power, heating. and street railway companies, and such parts of the telephone system as are operated within cities by virtue of franchises granted by such cities. Waterworks in private hands, and, doubtless, some other public utilities could be included in this class.

The interurban utilities can only be regulated by the State. For that purpose a well equipped public utilities commission should be created with large powers. It should control the issue of securities, the character of service, the rate of charge, etc. It should be appointed by the Executive with the approval of the Senate.

With respect to intraurban, or strictly city utilities, it might be well, at the start, to give to the proposed State commission control of the city utilities when requested by any of the several cities of the State. The commission, however, should be empowered to secure uniformity of accounting and full publicity with respect even to the city utilities and should be prepared to furnish this information in tabulated form in its annual reports, and in further detail to public officials.

The commission should also be equipped with funds and authority so that it can employ and furnish competent expert help to cities seeking advice and assistance from this State commission.

When requested to do so by any municipality the commission should also supervise the service of these city utilities.

It would also be well to give the State commission full control of all new issues of stocks, bonds and notes, and other evidences of indebtedness of all the public utilities of the State, including those within the cities. If this were done, the commission should be equipped with resources and power to make a physical valuation of such properties. No additional securities should be permitted to be issued save for additional physical property and legitimate brokerage. It should be distinctly provided that future issues of securities, when approved by the commission, should be clearly separated by serial numbers, or otherwise, from existing securities, to the end that purchasers might always know whether they were buying new securities, approved by the State and issued for an increase of physical investment, or, whether they were buying securities issued prior to the enactment of the law and that had not in any way passed under the scrutiny of the State.

The Forty-eighth General Assembly took a similar view of the situation and passed the Public Utilities Act to take effect January 1, 1914.

When the Legislature again convened, in 1915, we had a short period of experience with the Public Utilities Commission and I was able, in my biennial message, to give the following estimate of its work:

The State Public Utilities Commission closed the first eleven months of its administration on November 30, 1914. During that time the commission was organized, its work systematized, and the administrative, engineering, accounting, rate, and service departments were built up to such a state of efficiency as the limited time and the means at the disposal of the commission would allow. The present working force of the commission, attorneys, engineers, accountants, statisticians, experts, inspectors, clerks, stenographers, etc., numbers seventy-three persons. The Illinois Public Utilities Law is probably the most comprehensive measure of its kind ever enacted and the duties and powers of the Illinois Commission are probably more numerous and greater than those of any similar commission. The multiplicity, variety, and importance of matters coming before it during this period of organization have been so great as to tax to the utmost its ability to investigate, hear, and dispose of the cases.

During the eleven months there were filed 1,278 formal complaints and petitions, all of which call for investigation and public hearings and a finding by the commission. In 924 of these cases formal orders were entered. There were also brought to the attention of the commission during this same time about 500 informal complaints, covering almost every conceivable matter

about which complaint could be made, some 400 of which have been investigated and disposed of informally by correspondence or conference. In addition to the above, the commission has approved 1,160 leases made by utility corporations. Orders were issued in sixty-five stock and bond cases, authorizing the issue of $176,917,304, par value, of stocks, bonds, and notes. On December 1, 1914, there were pending applications for authority to issue securities of the par value of $262,485,258. On December 22 a majority of the pending applications for authority to issue securities had been heard. The amount of fees paid into the State Treasury for authorities granted up to this time was $505,202.78. The total receipts of the commission at this time was $510,173.89. The total amount of appropriation expended to maintain the commission was $118,548.14.

The beneficent effects of the operation of the Utilities law are already apparent on every hand.

Discriminations in rates and service have been eliminated and it may now be said that strict rate uniformity prevails among all the utilities of the State. The question of rates has probably been most often brought to the attention of the commission, for while rates and service are fundamentally joined in almost every case, the majority of complaints coming to the commission thus far have found their expression in terms of rates. In a number of smaller communities settlements have resulted in substantial reductions in rates. In some of the more important cases the determination of reasonable rates has necessitated the making of property valuations, which requires much time and labor.

Standards of service to govern gas and electric utilities have been established by the commission, and service inspectors are now at work inspecting the quality of service furnished by the various utilities of the State.

One of the main objects sought by the Legislature in the establishment of the Utilities Commission was to secure to the people of the State adequate service at reasonable rates, and the commission in all its acts has ever kept before it this condition, and has sought to accomplish and is accomplishing this great purpose for which it was created.

With respect to the telephone situation, as it now exists in this State, I am informed by the State Public Utilities Commission that there are 796 new telephone companies reporting to the commission and under its supervision. These companies operate a total of 1,306 exchanges. The telephone has become practically indispensable to the business and social life of the day. As compared with the number of telephone companies reporting to the commission, there are 174 electric light and power companies

serving a total of 650 cities and villages; there are 71 gas companies serving 216 cities and villages, and there are 53 railway companies serving 72 localities.

One of the first acts of the commission after its organization was to require all telephone companies, as well as other public utilities, to file with the commission complete schedules showing the rates and charges of such public utilities. From the schedules thus filed it appeared that many telephone companies, as well as other utilities, were furnishing free or at reduced rates, service not only to municipalities, counties, and other political units, but also to railroads, express, and telegraph companies, public halls, lodge rooms, and in many instances to individuals. It also appeared that many telephone companies made it a practice to furnish telephone service free or at reduced rates to their stockholders and directors. This practice was carried on to such extent in some cases that only a comparatively few subscribers were paying the regular scheduled rate. The commission at once set about taking the necessary steps to eliminate all discrimination in the rates, charges, and practices of such companies, and thru a series of conference rulings, with which I presume most of you are familiar, it directed that all service at free or reduced rates should cease, except that where by the terms of a franchise ordinance granted by a municipality a public utility had agreed to furnish service to such municipality at free or reduced rates, the terms of such franchise should be observed until otherwise ordered by the commission. The result has been not only to simplify the rate schedules of the telephone companies, but also to equalize the burdens among the various subscribers and place all users of the same class of service on an equal basis. It has also resulted in assuring to the telephone companies compensation for all services performed by them to which they are entitled.

The commission also was called upon shortly after its creation to construe Section 55 of the Commission Act and to outline its policy with respect thereto. This section authorizes the commission, under certain conditions, to issue a Certificate of Convenience and Necessity to a public utility that may apply therefor, and prevents public utilities from erecting any new plant or system without such a certificate. After mature deliberation, the commission adopted a general rule with respect to telephone companies making application under this section, which reads as follows:

"This commission holds that applications for Certificates of Convenience and Necessity will be denied all telephone companies where the application is for the establishing of an additional tele-

phone system in a city or village where a telephone system is already in operation and is furnishing adequate service at reasonable rates."

This ruling has been generally adhered to by the commission, and the result has been to relieve many communities of a duplication of telephone systems in their midst, together with the burdens incident to the support of such duplicate plants, as well as relief from the inconvenience and annoyance of a divided telephone service.

One of the most perplexing problems with which the commission has had to deal is that of determining whether telephone companies operating upon the so-called mutual plan are public utilities within the definition set forth in the Commission Act. One of the first cases to come before the commission involving this question, and one that fairly illustrates the principles involved, was that of the Noble Telephone Company vs. the Noble Mutual Telephone Company. In this case an attempt was made by the Mutual Company, without applying to the commission for a Certificate of Convenience and Necessity, to install and operate a telephone system in a village that was already being adequately served by another telephone company. It appeared that the Mutual Company, which claimed exemption from the jurisdiction of this commission, had accepted a franchise ordinance from the village, which provided in substance that no person, firm, or corporation who should desire to become a member of said mutual company, should be barred from the service of the company. The commission, after hearing the evidence and considering all of the facts, decided that this mutual company was holding itself out to serve the public, and therefore was a public utility and within the jurisdiction of the commission; that it could not lawfully construct its telephone system in the village in question without first securing a Certificate of Convenience and Necessity.

This case was appealed and both the Circuit Court of Sangamon County and the Supreme Court of this State affirmed the order of the commission. (268 Ill., 411.)

The commission has also prescribed a uniform system of accounts for all telephone companies operating in this State. While some of the smaller companies were somewhat reluctant at first to the keeping of their accounts as prescribed by the commission, yet after having once adapted themselves to the requirements of the commission in that respect and giving the matter a fair trial, they now appear to be enthusiastic in their expressions as to the benefits derived therefrom.

The commission has also, by conference ruling, established standards of service for telephone companies. These standards, as you probably know, limit the number of subscribers that may be connected on a local exchange line and also on a rural line; they require telephone utilities to make tests and inspections of their lines and equipment, so that efficient service may be provided; they require traffic studies to be made at regular intervals and records kept showing the result; they prescribe the periods at which telephone directories shall be revised, printed, and distributed, and in general aim to provide for adequate and efficient service to telephone patrons at all times.

The commission has been called upon, also, to deal with problems connected with gas and electric service.

Conspicuous gas and electric cases have concerned the cities of Belleville, Springfield, and Jacksonville.

Final decisions have been entered in the Belleville and Springfield cases, the rate for gas in Belleville being reduced from $1.15 to $1.00 net per 1,000 feet and in Springfield from $1.00 to 80c net. The commission has announced a reduction from $1.15 to 95c net in Jacksonville, but no final order has yet been entered in this case.

The advantages of the Public Utilities Commission are perhaps better illustrated in the proceedings for determining reasonable rates for public service than in any other of its valuable work.

It is much better adapted to making investigations and securing all the facts necessary to arrive at a correct conclusion as to what rate is fair both to the producer and consumer than a law court. The commission may sit at a point of greatest convenience. It may send engineers and investigators to examine into conditions. It can, and does, require actual valuations of physical property, and can accurately value securities and intangibles.

In this respect the Public Utilities Commission bears much the same relation to our law courts that the administrative courts of France and Germany bear to the regular courts there. There is this difference, however, that the administrative questions there are tried and finally determined in such courts only.

The Public Utilities Commission of Illinois, however, has nothing to complain of with respect to appeals from its decisions to the law courts. The findings of the commission have so far, when questioned, been invariably sustained in the courts.

In the cases involving the rates in Belleville and Springfield the commission, after the most complete and exhaustive examination, entered orders reducing the rates. The evidence seems

to fully sustain the decisions and indicates that the public service companies involved will make a fair and just profit on the rates fixed by the commission.

Public service rates bear some analogy to tax rates. If everybody is taxed justly and in proportion to the kind and value of his property the burden will fall more lightly upon all than is the case where some escape taxation and others are loaded with the burdens which they evade. So it is with public service rates. It has been habitual with some companies to grant a great deal of service free or at greatly reduced rates to big concerns, friends, favorites, or associates; for railroad companies to grant free passes and other concessions. Under such circumstances the service must be paid for and in practice payment is exacted from other consumers, whereby such other consumers are required not only to pay full value for the service obtained by them, but as well to contribute for those who are escaping payment. Invariably this injustice is greatest upon the small consumer.

Under the law the Public Utilities Commission has, in every case where discrimination of this character has been found to exist, abolished the practice. That railroads may be able to carry passengers at a rate of 2c per mile instead of 3c, as was formerly the practice, the Commission adopted the regulations of the Inter-State Commerce Commission, practically abolishing all free passes upon railroads. By conference rulings, the commission directed that all public service companies should abolish discriminations as to rates and service, to the end that every customer should receive the same treatment.

Under such a system, the poor can ride upon the railroads at what it is reasonably worth to carry them and are not obliged to help pay for carrying the opulent or well to do. The housewife in her humble establishment will get gas, water, electric light, and such other utilities as enter into the daily needs, for what they are worth and will not be compelled to pay an inflated rate because more fortunate or more favored consumers get their service free or at a reduced rate.

Because the Public Utilities Commission has had to maintain a large organization and because substantial salaries had to be paid members and employes of the commission, and seemingly large appropriations have been made by the Legislature, it might be thought that the commission was a burden upon the State's finances and tended to aid to the tax burden. Such, however, is not the case. Since its organization the commission has been a source of net revenue to the State.

The receipts of the State Public Utilities Commission of Illinois from January 1, 1914, the date of its beginning, to February 29, 1916, a period of twenty-six months, amounted to $835,690.69. The grand total of expenditures for the same period amounted to $514,133.82. This leaves $321,556.87 which has been paid into the State Treasury through the commission over and above all expenses.

For the year covered by the second annual report of the commission, dating from December 1, 1914, to November 30, 1915, the receipts were $634,789.21, and the expenditures $265,366.05. leaving a balance of $369,423.16 for the twelve months.

In establishing practical control over public service corporations Illinois has won a strong position.

We now have the machinery to insure reasonable rates for public service and reasonable returns upon investments in public service properties.

The benefits now being actually enjoyed and to accrue enure not to the consumer alone, altho such are substantial and most welcome, but to the utilities properties as well.

Under the law not only fair charges for public service can be obtained and enforced, but fair valuations for investments as well. We have gone far in the direction of squeezing the water out of corporate stock and preventing its future dilution.

We have established a tribunal where the humblest citizen, without cost and without price, can have his complaint heard and be assured of the same quality of justice as the most affluent.

To maintain this highly prized accomplishment and to perfect in every detail the workings of the commission organized under the Public Utilities act is a task worth the efforts of all forward-looking citizens of this State.

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