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TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgement of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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THE DEMOCRATIC REVIEW

Owned, Controlled and Edited by Joseph W. Bailey

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WHY THIS MAGAZINE?

For almost a century every man in this country who called himself a Democrat believed in certain principles, definitely known and understood as the essentials of Democracy; but the men who have controlled our party during the last few years have completely abandoned those principles. Some of our leaders have publicly and repeatedly declared that our country has outgrown those principles; while others, not quite bold enough to make a public renunciation of them, have constantly supported measures in palpable conflict with them. This apostasy has passed unchallenged so long that the apostates have now assumed the aggressive, and are demanding of us who have kept the faith that we shall renounce our old principles and embrace their new "isms." We must meet this issue; and we must meet it either by surrendering our convictions, or by fighting for them. Which shall it be? If we surrender, we might as well make up our minds at once to become socialists in fact, whatever we may be in name; if we fight, we can make the Democratic Party once more the true exponent of constitutional government in this country. As for me and my house, we intend to fight, and in fighting we shall need a publication which will circulate throughout all Texas to explain, defend, and advocate Democratic principles; hence this Magazine.

THE DEMOCRACY OF JEFFERSON

In his first inaugural address as President of the United States, Thomas Jefferson stated what he deemed "the essential principles of our government," and I would regard the first issue of *The Democratic Review* as incomplete if it did not reproduce that historic statement, which cannot be recalled too frequently to the minds of our people. Mr. Jefferson said:

"About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our Government, and consequently those which ought to shape its Administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever State or persuasion, religious or political; peace, commerce and honest friendship with all nations, entangling alliances with none; the support of the State Governments in all their rights, as the most competent administration for our domestic concerns and the surest bulwarks against anti-Republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people—a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace and for the moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of the public reason; freedom of religion; freedom of the press, and freedom of person under the protection of the habeas corpus, and trial by juries imparitally selected. These principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our sages and blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civic instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety."

The men who had elected Jefferson to the Presidency accepted the above Declaration of Principles as their creed, and upon it organized the Democratic party. They did not, it is true, then call it the "Democratic party." The official name of their organization was the "Democratic-Republican" party, but it was commonly called the "Republican" party until after the Federalist party had disappeared from American politics. As late as 1824, all of the candidates for the Presidency, including John Quincy Adams, a son of the rugged old Federalist, John Adams, were called "Republicans," and the Democratic-Republican party did not formally drop the "Republican" part of its name until the election of 1828, in which Andrew Jackson was chosen President.

But whether called the "Republican" party, as it was during the first twenty-eight years of its existence, or called the "Democratic" party, as it has been through all the intervening years, our party stood pledged to "the essential principles of our government" as Mr. Jefferson had stated them in that inaugural address. We once changed our name, but we did not change our principles, and none of our leaders ever urged us to do that until Woodrow Wilson became President. Then, and for the first time, they began to tell us that the country had outgrown our principles. That is arrant nonsense. This country can no more outgrow the principles on which our Government was founded than the world can outgrow the law of gravitation, or mathematics can outgrow the multiplication table. Some things are immutable, and none are more immutable than the principles of a free Republic.

OUR RECENT PRIMARY

Looking only to the face of the returns from the primary election held in this State on the 28th day of last August, any intelligent man would conclude that a majority of Texas Democrats are "progressive" rather than Democratic; but a careful study of those returns will lead him to a different conclusion. Taking the vote as it was counted, and making no allowance for irregularities or for illegal votes, Mr. Neff's majority was, in round numbers, 70,000. That would seem decisive enough, but not when the vote is analyzed.

In analyzing the vote, the first fact to be considered is that at least 150,000 men who have heretofore participated in our Democratic primaries refused to participate in the last one. This is, of course, an estimate; but it is rather under, than over, the true number, as will be made manifest by a comparison. In the Ferguson-Ball contest of 1912 the total vote was between 440,000 and 450,000, all cast by men, as women could not then vote. The total vote in our last primary was, in round numbers, 450,000; but as not less than 150,000 were cast by women, only 300,000 men could have voted.

These figures make it plain that the man vote in our last primary was 150,000 less than it was eight years ago, whereas it ought to have shown, and under normal political conditions would have shown, an increase to correspond with the increase in our population. How would those 150,000 men have voted if they had attended our last primary? It is certain that not more than 10,000 of them would have voted for Mr. Neff, because it is well known that they remained out of the primary on account of their dissatisfaction with the very men and the very measures endorsed by Mr. Neff. Had those men gone into the primary, they would have converted Mr. Neff's majority of 70,000 into a majority of 60,000 against him.

A second fact to be considered in analyzing the vote is that very few of the women who were opposed to Mr. Neff voted in the primary. It is not, of course, possible to fix the number of those women with the same exactness that we can fix the number of men who did not vote; but 150,000 cannot be very far wrong either way, and I arrive at that number by a very simple process of reasoning. There were 300,000 men who voted in the primary, and it is fair to assume that one woman could have voted for each man who did vote. Therefore, with 300,000 women who could have voted and only 150,000 voting, it follows that the absentees numbered 150,000. If these women had voted, 140,000 out of the 150,000 would have voted against Mr. Neff, thus converting his final majority of 70,000 into a majority of 60,000 against him.

With these figures before him, no intelligent man can believe that the "Progressives" hold a majority in the Democratic party of Texas. Those figures cannot be successfully contested. No man doubts that 150,000 men who could have voted in our pri-

mary refused to do so; no man doubts that 150,000 women who could have qualified themselves to vote by paying their poll taxes failed to do so; nor can any man doubt how that 300,000 men and women would have voted if they had gone into the primary. Less than 25,000 of them would have voted for Mr. Neff, and he would have been defeated by an overwhelming majority. The result of the recent election has made it certain that the Democratic men who did not go into the last primary will go into the next one; and if our wives and daughters, our mothers and our sisters will help us by paying their poll taxes and voting in 1922 the correctness of what I have here set down will be fully demonstrated.

Having shown that Mr. Neff owes his nomination to the fact that 300,000 Texas Democrats, for one reason or another, did not take part in our last primary, we could well afford to terminate our review of that campaign at this point; but it will be useful to go one step further and analyze the vote received by Mr. Neff. The total vote received by Mr. Neff was, in round numbers, 250,000, of which not less than 150,000 were cast by women, leaving him only 115,000 votes cast by the men of Texas, and of that 115,000 not less than 60,000—and perhaps 65,000—were cast by members of the labor unions, who voted in that election as a class and not as Democrats. Subtracting the minimum labor vote of 60,000 from the 115,000 cast by men for Mr. Neff leaves him only 55,000 men votes outside of the labor unions, and that, under the circumstances, was a most pitiful showing.

Actively supported by the Federal and State Administrations, with practically all of their officeholders; by the party organization, which not only used its influence for him, but in many instances abused its power in his behalf; by all of the morning newspapers published in our four largest cities, and by four-fifths of the weekly press; by all of the churches and all of the preachers who could be induced to take an active part in politics; and by every woman's organization in the State, social, religious and industrial—Mr. Neff could muster only 55,000 votes among the men of Texas outside of the labor unions, and that 55,000 votes included Socialists, semi-Socialists and political nondescripts of every kind.

Mr. Neff's supporters also included all of the men who have renounced the doctrine of State Rights, and I speak conservatively

when I say that at least 110,000 of the 115,000 men who voted for him are not Democrats according to any definition of Democracy ever proposed or accepted in this country. On the other hand, out of the 170,000 men votes counted—and they did not represent all that were cast—for Mr. Neff's opponent, at least 165,000 were cast by men who are Democrats of the strictest sect, and who have persevered in their faith without variableness or the shadow of turning. I intend no reflection on the integrity or the patriotism of the men who voted for Mr. Neff. I know that some of them are good men and good citizens; but a man may easily be a good man and a good citizen without being a good Democrat.

The real Democrats of Texas can contemplate the result of that campaign with profound satisfaction. We lost the offices, but we saved our party. We united the men who believe in Democracy as it was taught to us by our fathers and as we have been teaching it to our children. While engaged in that work many prejudices were conquered and many personal differences were composed. Thousands of men who had never before voted for our candidate for Governor espoused his candidacy with unflagging zeal; because they had come to realize that it was a contest between the men who believe in, and the men who do not believe in, **Democratic principles.** The alignment then effected will endure, and no petty difference will ever again so divide and distract us as to jeopardize the cause which we devoutly believe is inseparably connected with the welfare of our State and the happiness of its people.

THE LESSON OF THE PRESIDENTIAL ELECTION

The one lesson which the last presidential election plainly teaches on the face of the returns is that the Democratic party cannot hope to succeed by abandoning its principles. The thoughtful Democrats of this country knew that in the beginning, and they have constantly warned those in control of our party against the criminal folly of their course; but our warnings were dismissed with the contemptuous statement that we were "reactionaries." Our leaders seemed to assume that Democrats would support a "progressive" party with the same enthusiastic fidelity as they had always supported the Democratic party. That was

a poor compliment to pay us, because it could only have been expected of men without political convictions. It was not reasonable to suppose that men who had been Democrats all their lives because they believed in the principles of the Democratic party would renounce those principles and adopt new political theories at the behest of selfish and autocratic politicians.

The result of the last election has taught every Democrat who is not incapable of learning that the Democratic party cannot be held together except in advocacy of Democratic principles, and the men who do not comprehend that truth must surrender their leadership to men who do comprehend it. I do not advise the proscription of the men who have brought upon our party the most overwhelming defeat ever encountered by any party in the history of our country, because I know that many of them acquiesced in the substitution of "progressive" policies for Democratic principles against their better judgment, and in order to avoid, as they thought, a disruption of the party. Those men are Democrats, and while I think they made a serious mistake, we need their co-operation in the work of rehabilitating the Democratic party, and we should avoid alienating them by giving unnecessary offense.

But while we believe the Democratic party can be, and ought to be, reunited without stopping to quarrel over the responsibility for our recent and overwhelming defeat, we must be absolutely candid with each other, and it must be understood that the party cannot be permanently reunited except on the basis of Democratic principles. Even if an adherence to those principles made it impossible for us to succeed, it is still better that we should adhere to them; because an adherence to them had never brought upon us such a defeat as the abandonment of them has brought upon us. And, moreover, the Democratic party can be of infinitely more service to our country as a minority party steadfastly maintaining its principles than it could be as a majority party if it must sacrifice its principles to obtain its majority. It does not signify much to this country whether it is governed by a party calling itself Republican or a party calling itself Democratic; but it signifies very much to this country whether it is to be governed by one set of principles rather than by another.

IT WILL BE A MISTAKE, MR. HARDING

If Mr. Harding yields to those Republicans who favor the League of Nations, "with reservations," he will make a grave mistake, and justly subject himself to the charge that he has not executed the mandate of the American people in good faith. He must know that many of those "Reservation-Republicans"—and, notably, those invited to confer with him first at Marion—never suggested any reservations until after thirty-seven Republican Senators had signed a formal statement that they would not vote to ratify the League as President Wilson first brought it back from France. With that declaration on the record, it was certain that the League of Nations would be rejected, unless some Republican Senators could be persuaded to stultify themselves; and regarding that as improbable, the reservations were invented for the purpose of procuring its ratification. I do not say that all of the Republicans who urged Republican Senators to vote for the League "with reservations" would have voted for it without reservations; but I do unhesitatingly say that with many of them the reservations were intended to secure the ratification of the League rather than to perfect it.

But even if I am mistaken about the motive which prompted those reservations, I am not mistaken in saying that they do not remove the fundamental objections to the League. Undoubtedly, some of the provisions in that document are more objectionable than others; but the American Electorate did not concern itself much about such details. They did not study that covenant article by article. Indeed, very few of them ever read it or knew anything about it except what they saw in the newspapers or heard in public speeches, and they did not believe even a substantial part of what they had read or heard. They are opposed to the League of Nations; because they are opposed to any European alliance, or to any international agreement which will involve us in European complications. That is what they intended to say by their votes, and if Mr. Harding is as wise as we think he is, and as we hope he is, he will so understand it.

I would not, of course, assert that the League of Nations issue alone gave Mr. Harding his overwhelming majority, because I know that many questions combined to produce that result; but

no intelligent person doubts that it exerted a vastly greater influence than any other single issue. It was the "solemn referendum" urged by the President who negotiated the treaty and by the Democratic presidential nominee who made it the first of all the questions upon which he sought the favor of the American people. Being a Democrat, I have neither the right nor the inclination to obtrude my advice on a Republican President; but being an American citizen, I have both the right and the inclination to insist that every President, whether a Democrat or a Republican, shall remember the people, and keep their commandments.

THE LEAGUE OF NATIONS

Politicians have made a strenuous effort to influence the minds of our people in favor of the League of Nations by telling us that in no other way can we assure the peace of the world. The men who say that may be sincere, and doubtless many of them are; but the sincere ones are grievously mistaken. It may be that the League of Nations would reduce the frequency of wars in the Old World; but it would increase their frequency with us. So long as we are not a member of the League we can decide for ourselves whether or not we will engage in any particular war; but if we join the League we will be compelled to engage in every war which occurs in Europe, Asia, or Africa, and it will increase rather than reduce the frequency of war with us.

But even if the League of Nations would keep us out of war, and were the only means of doing so, I would not consent to it, because I would not support any proposal which will abate the sovereignty of the United States; or engage us in alliance to European monarchies; or involve us in every disturbance which may occur in the Old World; or require us to send our boys across the seas to police the petty principalities whose quarrels do not touch the honor of our country or affect the happiness of our people. The League of Nations does all of that and, therefore, the objections to it are insuperable. We can not afford to purchase peace at such a price.

If the statesmen of our country will address themselves to that task, they can easily devise a plan which will keep the peace

of the world without surrendering any part of our sovereignty, or forming an alliance with foreign nations. A treaty made by all of the principal nations establishing a World's Court and providing that all controversies between them should be referred to that court under an agreement that until the case had been decided neither nation would declare war or commit any act of war against the other, would avert hostilities in nine cases out of ten, and no human contrivance will ever do more than that. Such an arrangement would possess many advantages and no serious disadvantages.

In the first place, it would give cooling time, which is almost as useful in international controversies as it is in individual controversies; in the second place, it would require a dispassionate argument of every case, and in preparing for the argument the lawyers on each side would come to understand where the justice of the controversy rested; in the third place, that court, if made up of men whose character and intellect qualified them for service there, would be able to write an opinion so clear as to convince the contending nations in almost every case; and in the fourth place, such a court would gradually establish, through its decisions, a body of international law to which all nations would conform, and that would remove the cause of many wars.

Some men object to the plan which I have proposed, because, they say, it leaves every nation free to obey or defy the decisions of that court. If that be a substantial objection, then my plan is amenable to it, because it is deliberately intended to leave that choice with every nation. A sovereign must always possess the right to decide every question for itself, at last, and a nation which covenants that right away ceases to be sovereign in the full sense of that word. One of the gravest objections to the League of Nations is that the nations entering into it must submit to the judgments of the League's council, and that is a submission which I would never agree to see my country make.

But it is insisted that if nations are not compelled to obey the judgments of the court, the arrangement is nothing more than a mere arbitration—which, being fairly interpreted, means that a tribunal without power to enforce its decisions is not a court. The Congress of the United States does not subscribe to that view, for it did not confer the power to enforce its judgments on

one of the most important courts created by it. The Court of Claims decides many important questions arising between the Federal Government and its citizens, but it has no power to execute any judgment which it may enter. But waiving these verbal niceties aside, I prefer to meet this objection in its essence, without regard to its form, for it distinctly presents their plan of military coercion against our plan of moral suasion. Without abating its sovereignty or compromising its self-respect, any nation may agree to have its controversy with another nation heard by an impartial tribunal, provided it reserves the right to accept or reject the decision when made; but no nation can enter into a binding agreement to supply soldiers to enforce against itself a decision made by a foreign tribunal without compromising its sovereignty and forfeiting its self-respect.

These League advocates do not seem to know how efficacious arbitration has proved in many of the most serious international disputes. Without having examined the question recently, I am under the impression that no great nation in the world has ever agreed to an arbitration and then refused to abide by the award. I can now recall but two instances—both of them boundary disputes between South American countries—where an arbitration had been agreed to and the award was disregarded. My opinion is that whether we call it a court or a board of arbitration, the decisions of a tribunal such as I have above suggested would be respected by all nations, and would avert war just as often, if not more often, than the decisions of the council established by the League of Nations. **The very fact that the court understood that its judgments could be defied would make it more careful to see that its judgments were so just that they would not be defied.**

I will illustrate my view by an example. If Mexico should bring suit against the United States for the recovery of Texas and other territory which formerly belonged to her, alleging that this country had instigated the secession of Texas from Mexico, and then upon one pretext or another had provoked a war in order to further appropriate some of her possessions, the United States would go into that court, make answer, and have the case tried. I have no shadow of doubt that the case would be decided in our favor, but neither have I any doubt that, if by any odd mischance, that court should decide the case against us, and order

the restoration of Texas and other States to Mexico, this country should, and would, refuse to obey the judgment.

A SAMPLE OF PROGRESSIVE LEGISLATION

The Texas daily papers recently carried a telegraphic report from Georgetown, Texas, stating that "a legal instrument, the first of its kind ever filed in the county, was recorded in the County Clerk's office today." The legal instrument referred to in that report was "Order No. 1 of the State Industrial Welfare Commission," and it was filed in Williamson County for the purpose of serving notice on the citizens of that county that from and after February 7th it would be unlawful for them to pay women in certain specified employments less than \$12.00 a week or permit them to work more than forty-eight hours a week.

The mental processes of these Progressive Democrats are past finding out. One day they pass a law which accords to the women of Texas the right to govern our country, and the next day they pass a law which denies to those same women the right to make their own contracts for their own personal services. Surely any person qualified to direct the destiny of this great Republic is qualified to say how long she will work or the wages for which she will work. If these Progressive Statesmen were allowed to govern this country a few years longer, every business man would be compelled to keep a statute book on his desk, and every housewife would be compelled to keep a statute book on her center table in order that they might know whether or not they are violating the law when they make contracts with those who seek their employment.

A limitation on the hours of women's work, being a matter of physical endurance, does not necessarily have anything to do with her capacity to help run the Government; but to make it a crime for a woman who can not obtain employment at \$12.00 a week to work for \$10.00 a week is an abridgment of her liberty which can not be defended in any forum. If the work of women in these enumerated classes can be properly limited to eight hours, then by what logic is it possible to leave all other women to work without limitation. In many of those specified services the drudgery is not greater, and in some of them not so great, as it is in

employments not specified. What then, will these legislators say to the women who are not thus protected? They will say—or at least if they know what they are saying, they must say—that they do not limit the right of all women to work, because there are employments which will not admit an eight hours' limitation—and that is a confession that they have made a law for the benefit of a special class.

THE EMERGENCY TARIFF BILL

When the Underwood Tariff Bill was pending in the House, I denounced it as unjust and undemocratic; because it placed all farm and ranch products on the free list, while it kept all manufactured products on the dutiable list. No logic in this world can justify Congress in applying one rule to the factories of this country and another rule to our farms and ranches. If farm and ranch products are to be imported free of duty for the benefit of our cities and industrial centers, their manufactured products should be imported free of duty for the benefit of our farms and ranches. The justice of that proposition is so obvious that no man will deny it; and yet time-serving politicians vehemently assailed me because I asserted and insisted on it. They seemed to proceed on the theory that as the Democratic party had perpetrated the injustice, I ought to conceal it from the people, if I could, and if I could not conceal it, then I ought to defend it; but that is not my conception of party duty. I knew when I spoke my mind on the subject that I would provoke the resentment of some men who had been my friends, and furnish a pretext for new outbursts on the part of those who had always been my enemies. But that did not deter me.

Before that Tariff Law could work out its natural results the world war came, creating abnormal conditions and suspending, for a time, the normal operation of economic laws, with the result that we are just now beginning to feel the effect of the gross discrimination which was practiced against our farmers and ranchmen. Congress has now perceived it, and the House of Representatives has already passed an Emergency Tariff Bill to correct it. It was a curious spectacle to see Democrats who had helped to pass the Underwood-Simmons Bill—among them sev-

eral Texans—voting for a Republican bill to correct the mistake which a Democratic Congress had made.

It is proper that I should say that neither Mr. Underwood nor Senator Simmons believed in the absurdity of free raw materials or free farm products, and had they been permitted to frame that Tariff Law according to their own judgment, it would have laid its duties without discrimination against any class, section, or industry. President Wilson, however, was obstinately insistent upon giving the manufacturers their raw materials free of duty, and on giving the people of our cities and industrial centers their farm products free of duty—a favor extended to them, of course, at the expense of our farmers and ranchmen.

RETURNS FROM THE LAST ELECTION

The following are the returns of the last election as canvassed at Austin and printed in the daily papers of the State:

The presidential vote of various parties in Texas was: Democratic, 289,688; Republican, 115,640; Black and Tan, 27,515; American, 47,669, and Socialist, 8,149.

State Comptroller: Smith (D.) 308,588; Mulkey (R.) 88,147; McCampbell (B. & T.) 27,041; Blakeslee (A.) 56,060; Matthews (S.) 7,723.

State Treasurer: Baker (D.) 308,227; Sparenberg (R.) 86,628; Cimbri (B. & T.) 26,640; Drozd (A.) 55,321; Keene (S.) 7,296.

Commissioner General Land Office: Robinson (D.) 308,531; Kingsberry (R.) 91,375; Boyd (B. & T.) 26,308; Riley (A.) 54,449; Scoggins (S.) 6,947.

Attorney General: Cureton (D.) 309,407; Wharton (R.) 88,852; Burkitt (B. & T.) 26,910; Dashiel (A.) 54,900; King (S.) 7,037.

Superintendent Public Instruction: Blanton (D.) 309,834; Lindsay (R.) 87,667; Washington (B. & T.) 26,897; Alsup (A.) 53,403; Carlton (S.) 7,111.

Commissioner of Agriculture: Terrell (D.) 310,790; Smith (R.) 88,508; Dickson (S.) 7,474.

Railroad Commissioner: Earle B. Mayfield (D.) 307,806; Baum (R.) 88,374; Moore (A.) 54,416; Forbes (S.) 7,274.

Associate Justice Supreme Court: Pierson (D.) 308,792; Harris (R.) 87,458; Short (A.) 53,341; Faulk (S.) 7,157.

Judge Court of Criminal Appeals: Davidson (D.) 309,374; Starling (R.) 87,672; Berzett (S.) 7,837.

The foregoing does not include the vote for Governor, as that vote is to be canvassed by the Legislature. The difference be-

tween the highest and the lowest vote cast for any State officer is only 2,984. The highest vote was cast for Land Commissioner, that being 310,790, and the lowest was cast for Railroad Commissioner, that being 307,806. But the difference between the vote for the Democratic Electors and the highest vote for any State nominee was 21,102 in favor of the latter. Who did that scratching? Certainly, not our friends. No sensible man would accuse them, for they would have been more apt to scratch the State than the National ticket.

A TEXAS PROGRESSIVE AT WASHINGTON

A "Progressive Democrat" from Texas was in Washington when Congress assembled on the first Monday of December, and he gave out an interview which was printed in a Washington newspaper as follows:

"The Democrats are going to win the House of Representatives by a substantial majority in 1922, and in 1924 they will return to full control of Congress and win the Presidency. I make that flat statement because not only I believe it is true, but every one with whom I have talked in the past two weeks believes it is true. Republicans as well as Democrats admit it. I do not feel disposed to say anything unkind about the Republicans. No doubt before long we will begin hearing enough unkind things being said of the Republicans from opposing factions within that party. That will be the beginning of Democratic success. The cry during the campaign was 'Let's have a change.' Well, the people voted a change. In fact, no one, not even the most sanguine of the Republican leaders, expected such a vote. The people voted a change simply because the war, which turned the world topsy-turvey, left so many elements of the country dissatisfied with the party in power. Things are still topsy-turvey—politically, socially, industrially and economically. The Republicans are going to find that straightening out all this is a monumental task. The Republicans deserve the support of a strong, constructive minority party, however, and no doubt they will receive it.

"I fear, on the other hand, that the Republican party is not equal to the task, and the demand for a change will come two years hence—a change back to a progressive Democracy, with an unequalled record for constructive legislation and wise administration. This will be followed two years later by a complete return to power in Congress and in the executive branch of the government. There is no doubt about the steadfast Democracy of Texas."

Events cannot instruct some men. That progressive Demo-

crat does not understand that the unparalleled disaster which overtook the Democratic party on the second day of last November was due to those "progressive" tendencies which he assures us will triumph again in the next two years. A blind leader of the blind! Without knowing what brought the house down about his ears, he pokes his head out from under the debris and tells us that "there is no doubt about the steadfast Democracy of Texas." That is perfectly true; but not as he meant it. The real Democrats of Texas are "steadfast;" but they are "steadfast" in the Democracy of their fathers, and they are through with the pseudo Democracy which is called "progressive." They are more determined today than they have been in many years to hold fast to their own name and adhere to their old principles. Their unalterable resolution is to be Democrats, without any prefix, and as that word was understood by the men who founded the Democratic party and who made its history worth knowing by heart. Men who need an adjective to describe their Democracy should join some other party.

THE REACTION HAS COME

With the inauguration of President Wilson a new test of Democratic loyalty was prescribed. It was no longer sufficient that a man had always cherished the principles and voted the ticket of the Democratic party. No man was recognized as a "deserving Democrat" unless he was "an original Wilson man" or had become a Wilson worshiper. If the President's advisers had been wise and honest men, they would have foreseen and they would have warned him against the unavoidable consequence of such a course. But the President's advisers were not wise enough to see, or else they were not honest enough to tell him that he was making a political disaster inevitable, and until the last election a worship of the President was a test of Democratic loyalty. Even the San Francisco Convention adopted a platform which saluted the President before it did the American people. Servile flattery could have gone no farther than that.

But with the result of the last election has come the inevitable reaction, and the first conspicuous manifestation of it appeared in the newspapers of the country on the 9th of December. The Hon.

Claude Kitchin was the Democratic leader in the House of Representatives during the last Democratic Congress, and is a man of real ability. Mr. Kitchin is a genuine Democrat, and had chafed under the President's deliberate effort to divorce the Democratic party from its old principles, but he forebore the utterance of any protest for the sake of party harmony. Mr. Kitchin now realizes that the Democrats who voted an acquiescence in many things which their judgment condemned, in order to avoid party discord, made their sacrifice in vain. They preserved the harmony of the "Wilson men," but they drove three million Democrats into voting the Republican ticket as a protest against the abandonment of Democratic principles. Recognizing that the time had come when men should speak their minds, Mr. Kitchin gave out the following interview:

"The whole intent and policy of his recommendations are to relieve the corporate interests and millionaires who, for the last four years, have plundered and profited upon the people to the extent of billions of dollars, of a billion and a half or two billions of dollars of taxes annually, and to place that amount upon the backs of the public that is the victim of such plunderers and profiteers.

Would Be Issue for Democrats.

"I cannot understand how any man who claims to have a single impulse for the masses, or who claims to be a Democrat, could make such recommendations—but I understand that neither Mr. Houston nor any of his friends make such claims for him.

"If a Republican administration were to make such recommendations the Democrats in the House would not want a better issue. I have not time now to discuss in detail his recommendations or report. Perhaps I will have the opportunity to do this in the next Congress, when the Republican administration recommends the same policy.

"Have you ever thought about it—that the Secretaries of the Treasury under Mr. Wilson were the first ever to assume the authority to tell Congress what it ought to tax—whether tariff or domestic taxation? All other Secretaries of the Treasury for the last twenty-five years were content to leave the question of what ought or ought not to be taxed and the rate to the judgment of Congress, where the Constitution leaves it.

Hope for Improvement.

"I trust the Republican Secretary of the Treasury under the next administration will have more confidence in the Republican Congress than our Democratic Secretaries under

Wilson's administration have shown in Democratic Congresses and will not assume to tell Congress what it shall tax or not tax and the rate of taxation, but will be willing to leave it where other Secretaries of the Treasury before the advent of the Wilson administration have left it—to the judgment of Congress, as the Constitution does—simply informing Congress regarding the condition of the finances of the government and the amount of money required to meet Government expenses.

“If the Democratic party in Congress were to adopt the suggestions of Secretary Houston's report, no Democratic candidate hereafter would get anything like as many votes as Governor Cox did in the last election, and the Lord knows he got few enough.

“I predict that in the next Congress in behalf of many Republican measures with respect to taxation the Republicans will cite Secretary Houston as well as the President as authority for their position.”

THE INDEPENDENCE OF TEXAS

The convention which declared the independence of Texas met at Old Washington on the first day of March, 1836, and organized by electing Richard Ellis as president and H. S. Kimball as secretary. A committee of five was then appointed to prepare a Declaration of Independence, and instructed to “report as speedily as possible.” That committee was composed of George C. Childress, Edward Conrad, James Gaines, Bailey Hardeman and Collin McKinney. The next day the committee made its report, which was adopted unanimously, and without amendment, in less than an hour after George C. Childress had finished reading it to the convention. The names of the men who composed that memorable body ought to be held in perpetual reverence by the people of Texas, and I think it worth while to reprint them from time to time, in order that the men and women, as well as the boys and girls, of this State may remember them. Sixty delegates were elected, but two of them—John J. Lynn and James Kerr—did not participate in the proceedings. The names of the other fifty-eight were:

Badgett, J. B.

Barnett, Thomas

Barnett, G. W.

Blount, S. W.

Bower, J. W.

Lattimer, A. H.

Legrand, E. O.

Maverick, Samuel A.

Menard, M. B.

Meniffee, William

Brigham, Asa	McKinney, Collin
Briscol, Andrew	Moore, John W.
Burton, J. W.	Motley, W.
Byron, J. S. D.	Navarris, Josie Antonio
Childress, George C.	Parmer, Martin
Clark, W., Jr.	Pennington, S. O.
Collingsworth, James	Potter, Robert
Conrad, E.	Power, James
Caldwell, M.	Roberts, John S.
Coleman, R. M.	Robertson, S. C.
Crawford, W. C.	Ruis, F.
Ellis, Richard	Rusk, Thomas J.
Everitt, S. H.	Scates, W. B.
Fisher, John	Smyth, George W.
Fisher, S. Rhoads	Stopp, Elijah
Gaines, James	Stewart, C. B.
Gazeley, Thomas G.	Swisher, J. G.
Goodrich, B. B.	Taylor, Charles S.
Grimes, Jesse	Thomas, David.
Hamilton, R.	Turner, John
Hardin, A. B.	Waller, Edwin
Hardeman, Bailey	West, Claiborne
Houston, Sam	Woods, James B.
Lacy, W. D.	Zavala, Lorenzo D.

It will be perceived that the first two Senators from Texas—Houston and Rusk—were members of that convention. General Houston, however, was a delegate from Refugio County, and not from his home county. Many of the delegates were under thirty, and a decided majority of them were under forty. The oldest member, Collin McKinney, was seventy years old, and the youngest member, William Motley, was twenty-four years old.

After adopting the Declaration of Independence the convention proceeded with the other work before it. On the fourth day Sam Houston was made Commander in Chief of the army, and the following day an impatient delegate introduced a resolution declaring that General Houston should proceed at once to the army or resign as its Commander in Chief. When the resolution was read Houston promptly took the floor and stated that he intended

“to set out the next morning to join the army and would be glad to have the company of the gentleman” who had introduced the resolution. The resolution was withdrawn, but the man who had introduced it did not accompany General Houston to the army. On March 16th the convention completed a Constitution for the Republic, and proceeded to elect a President and Vice-President for the Government ad interim. David G. Burnett was elected President and Lorenzo D. Zavalla was elected Vice-President. It is worth noting that the first President of the Republic of Texas, David G. Burnett, was born in New Jersey, and the last President of the Republic of Texas, Anson Jones, was born in Massachusetts. Sectional prejudices did not influence the men who declared and achieved the independence of Texas.

THE FORT WORTH DECLARATION

In the next issue of *The Democratic Review*, I shall print the Declaration of Principles adopted by the Democratic mass meeting which was held at Fort Worth in August, 1919; and in each subsequent issue, I shall discuss a paragraph of that Declaration until the argument in behalf of the whole has been fully presented. To the real Democrats of this State, the principles there announced are so fundamentally Democratic that they do not need either argument to support them, or elucidation to explain them; but, remembering that they were voted down in every precinct convention where our opponents had a majority last May, a discussion of them seems necessary and proper.

PAY YOUR POLL TAX

The Democrats of this State—women as well as men—should pay their poll tax. It is very true that no general election will be held in this year; but the Legislature is to meet and no one can tell what constitutional amendments it may submit to a vote of the people. It is important, therefore, that every Democrat should be qualified to vote on any amendment submitted. Remember that your poll tax must be paid before the first day of February.

TO THE DEMOCRATS OF TEXAS

I have established The Democratic Review for the sole purpose of aiding those who have made and will continue to make a determined effort to revive and apply the principles of the Democratic party in the administration of this Government; and it will not be used to promote any personal interest of my own. Indeed, I have no personal interest which it could be used to promote, because I desire no office, I crave no further distinction, and the price of it precludes the possibility of any profit from it. When I first discussed this matter with my friends, they advised that I should organize a company so that if the project resulted in a financial failure, the loss would be so distributed as to be inconsequential to each stockholder; but I could not see my way clear to follow that advice, for the reason that I preferred to meet the loss, if any, myself. But, while I have been unwilling to allow my friends to incur even a small risk in this enterprise, I feel that I have the right to call on the Democrats of Texas to help in securing subscriptions; and I make that call in order to extend the circulation, and not for the sake of the subscription price. I realize that unless this Magazine reaches a large number of people, it can not accomplish much good, and it can only serve the purpose for which it is intended through an extensive circulation. Every Democrat in Texas is as much interested in the success of this venture as I am, and I am confident that they will cordially co-operate with me.

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TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgement of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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THE DEMOCRATIC REVIEW

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A DECLARATION OF PRINCIPLES.

I.

We believe in a representative democracy, as exemplified by this Republic, and we are opposed to the Initiative and Referendum, or any other measure calculated to convert this Government into a direct democracy. Recognizing, however, that constitutions are designed to confer power, or to limit power already conferred, on legislative bodies, we hold that no constitution, or any amendment to it, should be adopted except by the people. Every State in the Union now applies this principle to its own constitution, and we favor an amendment to the constitution of the United States requiring that hereafter all amendments to it shall be submitted to a direct vote of the people in the several States for ratification or rejection.

II.

We believe in a written constitution, and in a faithful obedience to all of its provisions. We especially denounce, as fraught with the gravest danger, the enactment of legislation under the pretext that it is designed for a constitutional purpose, when the authors of it perfectly understand that its purpose is wholly unconstitutional. Such legislation is doubly vicious; because it is based upon a false pretense discreditable to Congress, and violates the constitution in a manner to prevent judicial correction.

III.

We believe in the wise arrangement which reserves to each State in this Union the exclusive right to regulate, so far as any government may properly regulate, the habits and occupations of its own people; and we are opposed to all measures which will, in purpose or effect, deprive these States of that right.

IV.

We believe that every State should have the right to prescribe the qualifications of its own voters, and we are opposed to the pending amendment of the Federal Constitution which denies to Texas the right to say who may and who may not vote for purely local officers.

V.

We denounce the growing tendency to regulate everything by law, and we demand that every American citizen shall be left as free to do for himself, and with his own, as is consistent with the peace and good order of society.

VI.

We denounce the growing extravagance of the Government, Federal, State and Municipal, as not only a useless waste of the wealth created by the labor of our people, but as the prolific mother of many governmental vices; and we demand a return to that simplicity and economy in our public affairs which our democratic fathers practiced in the most glorious era of this Republic.

VII.

We favor the efficient regulation of the railroads to the end that they shall be compelled to give every man fair service for fair pay, and all men the same service for the same pay under the same conditions; but we are utterly opposed to the governmental ownership and operation of them. For the United States to take over and operate the railroads of this country will not only violate a sound principle, by reducing this great Republic from a Sovereign to a mere common carrier for hire; but it will increase the employes of the Federal Government by

more than two million, and that number, together with their relatives and dependents, will control more than four million votes, thus rendering it almost impossible by any means short of a revolution to dislodge a party once in power.

VIII.

We believe in the right of private property, and we are uncompromisingly opposed to socialism. We hold that every man is entitled to enjoy all he can honestly earn, and we deny the right of any Government to take one man's property for the benefit of another man. We also believe, however, that the gradual absorption of all property in the hands of a favored few would not be less fatal to civilization and liberty in the end than the socialistic destruction of private property. We, therefore, declare ourselves opposed to monopoly as well as socialism, and we pledge ourselves to resist both with unyielding determination.

IX.

We believe that the constitution contains no guarantee more valuable than that which secures the freedom of speech; and we are opposed to any law which makes, or attempts to make, it a crime for a citizen of the United States to criticise the measures, or the administration of our government. To resist, or to advise others to resist, the due enforcement of the law should be an offense, and punished as such; but to urge the repeal of any law, or to contend that any given law ought not to have been enacted, or to test the validity of any law by an orderly procedure in the courts, is the birthright of every American freeman, and should not be denied or abridged.

X.

We hold that the first and highest duty of this Republic is to its own citizens; and we deny its right to expend our taxes or to sacrifice the lives of our sons in fighting wars which do not involve the honor of our country, or the welfare of our people. Our only duty to other countries is to deal justly with them, and that duty can be, and should be, performed without entering into a permanent alliance with European monarchies, or

participating in European politics, or engaging in European struggles for territorial aggrandizement.

XI.

We pledge ourselves to oppose all class legislation and all class domination in this Republic. Every special favor conferred on any class necessarily involves a discrimination against all other classes; and control by any one class necessarily means that the government will be administered for the benefit of that class without regard for the interest of all other classes.

XII.

We demand a practical as well as a theoretical separation of Church and State. The Church is a spiritual institution, designed to save human souls, while governments are temporal institutions, designed to protect human rights and liberties. The end which the State serves is not the end which the Church was intended to serve, and every effort to unite the two has resulted in a serious injury to both.

The foregoing Declaration of Principles was adopted unanimously by a democratic mass meeting held in Fort Worth on August 14, 1919, and the real Democrats of Texas made their campaign on it in the spring of 1920, intending, if successful, to offer it to the National Convention of our party as the basis of its platform. In order that the people themselves could pass on it, we offered it in practically every Precinct Convention held in Texas last May; but in every such meeting where the so-called "progressive Democrats" had a majority it was voted down. In the precinct where I then lived, I offered that declaration of principles, not as a substitute for the resolution offered by the "progressive" majority, but as an addition to it; and I pursued that course so that the "progressive Democrats" could not excuse their vote against it on the ground that they desired to "endorse the President."

As my motion proposed no change in their resolution endorsing President Wilson, it presented only the question of endorsing also the principles of our party; but it was rejected. It is fair to say, however, that the adverse vote was made up largely of

women, who did not seem to understand the question. On this particular motion, the leader of the "Progressives," just before the vote was taken, took the floor, and addressing himself to the women, told them to "vote this time just like you did before." Those women knew nothing, and cared nothing, about the great principles of our party; they were voting to endorse "our beloved President, and keep Bailey from bringing whiskey back to Texas."

The principles declared by the Fort Worth Mass Meeting are the very fundamentals of Democracy, and we must renew our devotion to those principles, if we expect to preserve our party. Twice in our history our leaders have been foolish enough to think that they could abandon our principles and still succeed; but the result in both instances was overwhelming disaster. In 1872, we nominated Horace Greeley, who made no pretense of being a Democrat, and he was defeated by such a majority that the episode became almost a jest. Having forgotten what happened to us when we followed Horace Greley, our leaders, during the last eight years, have again tried the experiment of substituting "a new Democracy" for the Democracy of our fathers; and after the last election we found ourselves in the ditch, flat of our backs, with a majority of more than 7,000,000 piled on us. Surely no sane Democrat will ask us to go any further in that direction, and when the time comes for us to make a new national platform, the Fort Worth Declaration of Principles will become the basis of it.

THE COURT ERRED.

The Supreme Court of the United States has decided that Congress may propose an amendment to the Constitution of the United States by a vote of two-thirds of a quorum in each House; and in doing so, it has grievously erred. That rule enables a minority of Congress to propose the most radical alterations in the very structure of our Government. The Senate consists of 96 members, of which 49 is a quorum, and two-thirds of 49 is 33. The House of Representatives consists of 435 mem-

bers, of which 218 is a quorum, and two-thirds of 218 is 145. Therefore, under the decision of the Court, 33 Senators—which is but one more than one-third of the Senate—and 145 Representatives—which is exactly one-third of the House—voting in the affirmative can propose an amendment abolishing these States, and reducing them all to a territorial form of government. It does not satisfy me to say that one-third of the Congress will never do that. I am unwilling that one-third of the Congress shall have the power to do it.

Without doubting, in the least, the patriotism of the Supreme Court, I must respectfully insist that the rule which they have laid down does not accord with the plain language of the Constitution. Article 5, which is the article the Court had under consideration, provides that:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, etc.

The only possible ambiguity in that language arises from the use of the words “both Houses” instead of the words “each House;” because that might lead some peculiar minds to argue that two-thirds of the combined vote of the two Houses is required. But that view is so obviously unfounded that very few men have ever advanced it, and it has been almost universally understood that the vote is to be taken, separately, in each House. The Supreme Court, in the case which I am now discussing, takes that view of it, without even referring to the other view. Our question turns, therefore, not on the meaning of “both Houses,” but on the meaning of “each House.”

When we seek the meaning of any word, phrase, clause, or sentence in the Constitution, we should, of course, first examine that instrument itself; and if we find there exactly what it is necessary for us to know in order to form a correct opinion, we must accept it as controlling. It is not necessary to prolong this editorial by surveying both Houses, because what may be said, in this respect about either, applies to the other; and as the Constitution establishes the House of Representatives before it does the Senate, I will follow that order, and consider what constitutes the House of Representatives. In Section 2, Article 1, the Constitution provides:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, etc.

That provision is perfectly plain—as plain as the English language could make it—and if the House of Representatives is “composed of members chosen every second year by the people of the Several States,” then the members so chosen must, in the very nature of things, constitute the House of Representatives; and when the Constitution refers to the House, it must mean the House as thus constituted, unless it is otherwise clearly indicated. That proposition is, to my mind, so self-evident that any argument in support of it would only tend to obscure it. The Court, in the opinion holding to the contrary, does not attempt to argue the question, but merely cites a case, decided two years ago, in which it was held that two-thirds of each House means only two-thirds of a quorum: and that decision was based on Section 5, of Article 1, which reads as follows:

Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business;

As that provision authorizes a quorum of each House “to do business,” the Court concludes that a quorum constitutes the House within the meaning of Article 5. I confess myself unable to comprehend the reasoning which can conduct any mind to such a conclusion. The very words of that provision, in my judgment, exclude the view which the Court has taken of it. It says that a majority of each House shall constitute a quorum to do business; but it does not say that a quorum shall constitute the House. Indeed, it completely negatives that idea; because it defines a quorum as a majority of the House. I am familiar with the axiom that the whole includes all of the parts, but I can not understand how any part can include the whole.

The manifest purpose of the quorum provision was to facilitate the public business by making a majority of the majority sufficient to pass all measures, except those with respect to which some other provision prescribes a different rule; and that is simply equivalent to saying that a quorum must transact the business of each House in conformity with every other provision of the Constitution. A quorum had the right to debate, to amend, to refer, or to postpone the Eighteenth Amendment;

but when it came to the "business" of proposing that amendment to the several States, it was limited by that article of the Constitution which expressly requires two-thirds of the House, and not two-thirds of those "present."

The Constitution furnishes another, and to my mind, a conclusive argument that Article 5 requires two-thirds of the full membership of both Houses, and not two-thirds of a mere quorum; because in five different sections it provides that a vote of two-thirds, instead of a majority, is necessary to decide certain questions, and in two of the five it is expressly provided that two-thirds of those "present" shall be sufficient. Those five sections are as follows:

Article I. Section 3. The Senate shall have sole power to try all impeachments . . . And no person shall be convicted without the concurrence of two-thirds of the members present.

Article I. Section 5. Each House may determine the rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Article I. Section 7. Every bill which shall have passed the House of Representatives and the Senate shall, . . . be presented to the President of the United States. If he approve, he shall sign it; but if not, he shall return it . . . to that House in which it shall have originated, who shall . . . proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill it shall be sent . . . to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law.

Article II. Section 2. He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; etc.

Article V. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, etc.

With these excerpts from the Constitution before me, I cannot escape the conclusion that the "two-thirds of both Houses" required for the submission of an amendment, means two-thirds of the full membership. It cannot be otherwise, unless we believe that the convention which drafted our Constitution intended for us to impute the same meaning to very different language. I cannot believe that; because I know the personnel and the history of that convention. The delegates to it possessed ability of the highest order; they applied them-

selves diligently for four months, lacking one week, to the work of writing that Constitution; every section of it was considered and reconsidered by committees and by sub-committees, which weighed and reweighed every word of it.

Knowing the infinite care with which our Constitution was prepared, I cannot believe that in framing the most important article in it—the one under which all others may be superseded—the language used does not mean exactly what it says, and that this supremely important article is controlled by another article regulating a simple question of procedure. If the men who framed our Constitution had intended that two-thirds of both Houses should mean two-thirds of a quorum, and not two-thirds of the full membership, they would never have used the words, “two-thirds of the members **present**,” in the impeachment article; nor would they have used the words, “provided two-thirds of the Senators **present** concur,” in respect to the ratification of treaties.

It has not been asserted, and it will not be asserted, that the Senate could either try an impeachment or ratify a treaty without a quorum; and if “two-thirds of the Senate means only two-thirds of a quorum, then the language with respect to impeachments and treaties was wholly unnecessary. Shall we say that the Constitution uses superfluous words? We must say that, if we say that “two-thirds of each House” means only two-thirds of a quorum. I not only deny that those words are superfluous, but I insist that they were used with a discrimination, and for the express purpose of taking the cases in which they were used out of the general rule which requires us to consider each House of Congress as composed of its full membership.

MISTAKES OF LABOR UNIONS.

Fifteen years ago, practically every man in Texas was friendly to the labor unions; today, every man in Texas outside of the unions is hostile to them; and this radical change in the attitude of the public towards the labor unions has been produced by a radical change in the attitude of the labor unions towards the public. Organized originally for the purpose of protecting their members against the unreasonable greed of em-

ployers, the unions at first conducted their contests in that behalf with a decent regard for the rights of the public, and the public very naturally sympathized with them; but as the union purpose gradually evolved from one of self-protection into one of aggressive domination, they disregarded the public's rights, and consequently lost the public's sympathy.

I will not take the time to specify all of the causes which have wrought the change in public sentiment towards the unions, but will briefly consider those which I think have been the most compelling; and they are, stated the reverse of their importance, the picket, the boycott, the sympathetic strike, and the interference with men at work. Those are the methods which the unions now chiefly use to bring employers into subjection; but as each touches the public more or less, they have become more than a concern to the individuals against whom they are used.

The picket consists of detailing a number of persons to walk to and fro in front of a proscribed place of business, denouncing it as "unfair," in order to deter intending patrons from entering it. Aside from the palpable injury to the particular person or firm thus assailed such conduct is calculated to result in violence; and ought to be forbidden as tending to provoke a breach of the peace. No man of courage will tamely submit to be thus harrassed; and few men would censure a man so harrassed, if he dispersed such a parade by force.

The boycott is an organized effort to destroy the business of the man against whom it is directed; and it is so thoroughly un-American that men without any interest in the controversy feel incensed at its use. The union itself admits the severity of it; but claims that it is employed only in extreme cases. Every man has a right to withdraw his own patronage from any person or firm objectionable to him; but no number of men have a right to enter into a deliberate agreement to destroy the reputation, the business, or the property of any other man.

The sympathetic strike is even worse than the picket and the boycott; because it is directed against those with whom the unions have no quarrel. It calls employees without any grievance away from their work in order to help other employees to win their strike. But why should the employees of A, with whom they may have no difference, walk out of his establishment on

account of a disagreement between B and his employees? To punish A for what B has done, when A had absolutely no connection with B's conduct, is repugnant to every feeling of our nature.

Interference with men who are anxious to work, is utterly indefensible. The right to work is one of the most inalienable rights of a man; it is second only to the right to life and liberty. Indeed, the right to live and the right to be free are barren rights, if a man can be denied the right to work and make his living. Men have a right to abandon any employment with which they are dissatisfied, but they have no right to prevent other men from taking the places which they have vacated; and when they resort to force to drive workers from their work they arouse the indignation of every good citizen.

The constant demand for an increase in wages and reduction in hours has recently prejudiced many men against the unions; but I did not specify that as one of "the most compelling causes," for the reason that up to a certain point, the public approved it. When the hours of labor were reduced from twelve to ten no objection was made, because there was a general impression that steady work for twelve hours might impair the vitality of the worker; and when wages were advanced beyond a bare living, the consent was universal, because all men know that no country can ever be great unless its laborers live in a fair degree of comfort.

When the hours of labor was further reduced to eight, and wages still further increased, there was a general doubt as to the wisdom of it, because it was fully understood that the labor cost of producing, and consequently the selling price, of all commodities would be enhanced. But the public generously took the position that it was better that labor should work too little, and get too much, than that it should work too much, and get too little. The unions have not, however, appreciated the public's generosity; they insist on maintaining war-wages in a time of peace, and the Federation of Labor, at its last annual convention, served notice on us that they may soon demand a reduction in time to a six-hour day.

I understand, of course, that the labor leaders who read this editorial, if any of them take the trouble to do that, will resent

it, and their exasperation against me will be intensified; but the time has come in this country for plain speech on this labor question, and I intend to speak plainly on it, without stopping to ask whether what I say shall please or displease the extremists on either side. I am not unfriendly to the unions. Indeed, I am friendly to them so long as they obey the law, and do not trespass on the rights of other people; but I am unalterably opposed to any organization which defies the law, or perpetrates injustice against any class of my countrymen. The public will respect the rights of the labor unions, if the labor unions will respect the rights of the public; but not otherwise, and the sooner labor leaders understand that, the better it will be for their organization, as well as for our country.

A "PROGRESSIVE" VIEW OF MARRIAGE.

When the "Progressives" began their crusade in politics, I warned my good friends of the clergy—and I had more friends among them then than I have now—that after those politicians had completed their conquest of the political world, they would then endeavor to reorganize society. I knew that would happen; because I knew that when men have reached a condition of mind which moves them to denounce the best constitution which was ever written in the history of the world, and to decry the best government which has ever existed in the history of the world, they are afflicted with an insatiable appetite for change, which will never be satisfied until it has wrought a change in all things. If our Constitution, under which we have enjoyed an unexampled prosperity and freedom, is to be subverted because it is old, then why not the existing social order, which is older than our Constitution?

The above question has been answered recently in one of the most "progressive" publications. The January number of Hearst's Magazine prints an article entitled, "What Will Take the Place of Marriage," and while much of the matter which it contains is too gross for young women to read, that same matter ought to be read by older women in order that they may better understand where these "progressive" ideas will lead us. To serve that purpose, I will lay before the readers of The Demo-

cratic Review extracts from the article in question. The first to which I desire to call the earnest attention of thoughtful men and good women is this:

The modern man and the modern woman do not yet understand each other. The ancient customs do not fit. Marriage, as it is, creaks with age.

There is the "progressive" argument in politics applied to the marriage relation. It has become withered by age, and, of course, it ought to be discarded. But what is the substitute proposed? The article explains that by certain instances which it relates. They are as follows:

A young English captain, for example, returned from the war. He found his wife no longer loved him. He has two children. For their sake he wants to keep up the home. But he finds himself in love again. The young woman whom he loves is a house-keeper for well-known and wealthy people. She is an honored member of her employer's family. She has been with them since childhood. She shares their life. She is the pivot around which the household revolves. She tells the family of her love. She declares she does not want support, nor does she want the young captain to desert his children, but says, nevertheless, she wants his love. As the wife of the young officer admittedly does not love him, she offers quite logically to take that wife's place. The arrangement is accepted by all.

Another case is that of a young actress. She fell in love with a married man. The man has grown children and his relation with his wife has long been merely that of an old friend. The young actress claims her right to motherhood. Men are scarce and she loves this man. Today she has two children. The man comes but rarely to see her. But she is content. She lives in a little cottage under her own name and supports herself and the children. She has never had another lover and does not want one. The neighbors respect her honesty and have learned to accept her.

Here we have the naked proposal to substitute concubinage for marriage; to replace the husband and wife with the lover and the mistress. I do not, of course, for one moment think, and I would not say, that all of the men and women who call themselves "Progressives" would countenance the conduct as set forth, with approval, in the above quotation; but I am perfectly sure that sooner or later all of these so-called "progressive" men and women will be compelled either to countenance such conduct, or to withdraw from the "progressive" party. "Progres-

sivism" is simply an incipient stage of Socialism, and Socialism not only tolerates, but encourages, a relation between the sexes, which, whether so intended or not, will ultimately destroy the marriage relation. Leaders may for a time conceal that tendency from their infatuated followers; but there must come a time when the truth will be revealed, and when that times comes, what I have here said will be justified.

A VICIOUS SLANDER.

When I made up my mind to publish The Democratic Review, I resolved that I would not use it to gratify my political resentments, and I shall adhere to that resolution. I feel, however, that there can be no just complaint at me for complying with a request that I answer, through this magazine, a statement made about me. A few days ago I received the following letter:

....., Texas, January 14, 1921.

Hon. J. W. Bailey,
Dallas, Texas.

My Dear Senator:

Yesterday I heard an argument on the main street corner of our town between one of your friends and a lawyer of this place, which finally became so bitter that they almost had a fight. The lawyer said that when you went out of the Senate you settled at Washington to practice law for the railroads, under a contract that they should pay you \$50,000 a year, and he also said that the railroads were paying you that large sum for what you had done for them while you were in the Senate. Your friend denied that statement, and the lawyer said he knew that it was the truth. I have always been a friend of yours, and I want you to answer this lawyer's charge in your paper; but please do not mention my name, as I do not want to get into any dispute.

Your friend,
.....

I have printed the letter from my friend in full; but, complying with his request not to mention his name, I have omitted his signature, and also the town from which his letter was written, which I think will be sufficient to keep him from "getting into a dispute."

That lawyer's statement, related in the above letter, is utterly destitute of the truth. I did not settle at Washington

to practice law under any contract with the railroads, and during the eight years I was there I did not receive a single fee from any railroad or from the president or other official of any railroad. I did not represent the railroads in the courts, or at any department of the Government, and did not receive one penny from them. I have often said in public speeches, and it will not be amiss for me to repeat it here, that my enemies unconsciously pay me a great compliment by telling these lies about me; for it demonstrates that they can only criticise my public service by misrepresenting it.

THE VOTE FOR PRESIDENT.

In order that its readers may have the information as soon as possible, and in order, also, that it may provide a convenient reference for those who lay it aside, The Democratic Review intends to print the returns from each primary election in this State, and each presidential election in the United States, as soon as the results are accurately known. In accordance with that policy, I expected to print the vote for President, by States, in the last issue; but was surprised to find, when I came to prepare the matter, that no reliable table had been compiled up to the 3rd of January, although two full months had passed since the election.

On the 9th of January the Associated Press gave out the table which I print below, and I assume that it is reasonably accurate. I note, however, that it does not correspond exactly with the vote in this State, as announced by our State Canvassing Board. This table gives the Cox vote as 288,757, and the Harding vote as 114,269, whereas the same vote as announced from Austin was 289,688 and 115,644. These discrepancies, however, are so slight, compared with the total vote, that the table may be accepted as reasonably accurate. This table gives only the vote for Harding, Cox, and Debs, ignoring the three or four inconsequential candidates. It is worth the while of a Texan, however, to remember that the American Party polled 47,495 votes and the Black and Tan party 27,247 votes in our State.

VOTE BY STATES

The popular vote for President, 1920, follows:

	Harding, Rep.	Cox, Dem.	Debs, Soc.
Alabama	74,690	163,254	2,363
Arizona	37,016	29,546	216
Arkansas	69,892	105,684	5,074
California	624,992	229,191	64,076
Colorado	173,248	104,936	8,046
Connecticut	229,238	120,721	10,335
Delaware	52,858	39,898	1,002
Florida	44,835	90,515	5,189
Georgia	41,089	107,162	465
Idaho	88,321	46,576	38
Illinois	1,420,480	534,394	74,747
Indiana	696,370	511,364	24,703
Iowa	634,674	227,921	16,981
Kansas	369,268	185,464	15,511
Kentucky	452,480	450,497	6,392
Louisiana	38,538	87,519
Maine	136,355	58,961	2,214
Maryland	236,117	180,626	8,876
Massachusetts	681,153	276,691	32,267
Michigan	762,865	233,460	28,947
Minnesota	519,421	142,994	56,106
Mississippi	11,644	69,291	1,686
Missouri	727,162	574,799	20,242
Montana	109,430	57,334
Nebraska	251,093	119,608	9,600
Nevada	15,432	9,803	1,858
New Hampshire	95,196	62,662	1,234
New Jersey	611,541	256,887	27,141
New Mexico	57,634	46,671
New York	1,868,411	780,774	203,114
North Carolina	232,848	305,447	446
North Dakota	160,072	37,422	8,282
Ohio	1,182,022	780,037	57,147
Oklahoma	243,415	215,521	25,638
Oregon	143,592	80,060	9,801
Pennsylvania	1,218,215	503,202	70,021
Rhode Island	107,463	55,062	4,351
South Carolina	2,610	62,933	28
South Dakota	109,874	35,938
Tennessee	219,770	209,099	2,239
Texas	114,269	288,767	8,121
Utah	81,555	56,639	3,159
Vermont	68,212	20,919
Virginia	87,458	141,670	807
Washington	223,137	84,298	8,013
West Virginia	282,007	220,789	5,618
Wisconsin	498,576	113,422	80,635
Wyoming	35,001	17,420	1,234
Totals.....	16,141,629	9,139,866	914,869

THE INDEPENDENCE OF TEXAS ACHIEVED.

In its last issue, *The Democratic Review* printed an account of the convention which declared the independence of Texas; and it seems proper to follow that with an account of the battle which made our independence an established fact. On the night of April 20, 1836, the Mexican army and the army of Texas patriots camped almost in sight of each other; and the next morning the Commander in Chief addressed himself promptly to the work of putting his men in readiness for the coming and decisive battle.

At four o'clock in the afternoon, the command, "Forward," was given, and the little army of devoted patriots were soon in motion. Divided into four divisions, each was assigned its part, and each performed the part assigned to it with courage and success. To the music of a single fife and drum, playing "Will You Come to The Bower," they dashed on their enemies, with the cries, "Remember Goliad," "Remember the Alamo." Numbers considered, history does not record anything to equal the execution of their work.

In less than twenty minutes the battle was over, and such of the Mexican army as had not been killed or wounded was in a precipitate flight. Wooten, in his *History of Texas*, gives the number of the Texas army as 743, with their loss as six killed and twenty-five wounded; Yoakum gives the killed and wounded the same, but gives the number of the Texas army as 783. Neither Wooten nor Yoakum attempt to give the exact number of the Mexican army; but they both give the number of Mexicans killed as 630, and the number wounded as 280, with 730 taken prisoners, which means that the Texas troops killed and wounded more than their own number, and, besides took prisoners almost equal to their number.

The Texans killed were, Dr. William Motley, who had been a member—and the youngest member—of the convention which declared our independence; Lieutenant J. C. Haley, of the 2nd Regiment; Second Lieutenant George A. Lamb, of the 2nd Regiment; First Sergeant Thomas P. Fowl, 2nd Regiment; Private Lemuel Blakely, 1st Regiment; Private ——— Cooper, 1st Regiment; and Private A. R. Stevens, 1st Regiment. It will be ob-

served that the officers who were killed all belonged to the 2nd Regiment, while all of the privates who were killed belonged to the 1st Regiment.

The Mexicans who were not captured immediately all fled towards Vince's Bridge, which had been cut, under Houston's order, before the battle began. It is said that Deaf Smith, who had destroyed the bridge, after reporting that fact to General Houston, threw himself into the fight with such a grim determination that after he had broken his own sword, he took the sword of a Mexican whom he had killed, and proceeded to kill more Mexicans with it. Unable to escape by way of Vince's Bridge, the Mexicans scattered themselves through the marshes, where some were drowned, and others were captured. Among those captured was Santa Anna, who called himself the "President," but was really the Dictator of Mexico, and was in personal command of his army at San Jacinto.

While a prisoner, Santa Anna made two treaties with the Republic of Texas—one public and one secret. The public treaty stipulated for a cessation of hostilities, etc.; the secret treaty stipulated that he would order his troops to leave Texas, and exert his good offices to secure a recognition of Texas independence. That secret treaty also stipulated that the Republic of Texas would provide for the prompt return of Santa Anna to Mexico; but notwithstanding that stipulation he was detained as prisoner for several months. Mirabeau B. Lamar and others insisted upon ignoring the promise that he should be returned to Mexico, and demanded that he should be executed; David G. Burnett, the President *ad interim*, General Houston, and others insisted that the good faith of the new Republic had been pledged, and should be kept inviolate. The latter view finally prevailed, and the wisdom of it was soon recognized by the most thoughtful men in Texas.

No man at the battle of San Jacinto exhibited a more superb courage than General Houston himself. He was one of the twenty-five wounded, receiving his wound when only a few yards from the enemy's line, and while leading the infantry charge. Texas testified her grateful appreciation of his service by choosing him the first President of the Republic. Under the Constitution, he could not succeed himself; but he was chosen again to

succeed Mirabeau B. Lamar, who had succeeded him. When Texas was admitted as a State into the Federal Union, General Houston was chosen as one of her first Senators, his colleague being Thoms J. Rusk, who was second to him in command at San Jacinto. General Rusk committed suicide while still a Senator from Texas, and thus escaped some of the political vicissitudes which General Houston encountered.

Towards the expiration of General Houston's second full term, it became manifest that, on account of certain differences with his constituents, he could not be re-elected; and he became a candidate for Governor. In order to insure his defeat, the politicians called a State Democratic Convention, the first one ever held in Texas, at which they nominated the Hon. Hardin R. Runnels, who was then Governor. Houston, however, became a candidate, and after an exciting campaign, was defeated, receiving 23,628, against 32,552 cast for Runnels. In 1859, Houston again became a candidate, Governor Runnels again being his opponent, and in that election the result was reversed, Houston receiving 36,257 votes against 27,500 for Runnels.

Then came the great tragedy of his career. On March 14, 1861, the Secession Convention of Texas adopted an ordinance requiring all State officers to take the oath of allegiance to the new Government, and Houston refused to comply, for which he was deposed, and retired to his home in Huntsville, where, on July 26th, 1863, he died, as much hated by the people of the State as he had once been loved by them. But that estrangement has long since passed away, and his name is now the one most revered by our people. The affectionate pride with which the memory of Houston is now cherished by the people of Texas testifies that the man who has served them, though they may, for a time, turn from him, will yet receive from them the honor which his services deserve.

TO THE DEMOCRATS OF TEXAS.

I have established The Democratic Review for the sole purpose of aiding those who have made and will continue to make a determined effort to revive and apply the principles of the Democratic party in the administration of this Government; and it will not be used to promote any personal interest of my own. Indeed, I have no personal interest which it could be used to promote, because I desire no office, I crave no further distinction, and the price of it precludes the possibility of any profit from it. When I first discussed this matter with my friends, they advised that I should organize a company so that if the project resulted in a financial failure, the loss would be so distributed as to be inconsequential to each stockholder; but I could not see my way clear to follow that advice, for the reason that I preferred to meet the loss, if any, myself. But, while I have been unwilling to allow my friends to incur ever a small risk in this enterprise, I feel that I have the right to call on the Democrats of Texas to help in securing subscriptions; and I make that call in order to extend the circulation, and not for the sake of the subscription price. I realize that unless this Magazine reaches a large number of people, it can not accomplish much good, and it can only serve the purpose for which it is intended through an extensive circulation. Every Democrat in Texas is as much interested in the success of this venture as I am, and I am confident that they will cordially co-operate with me.

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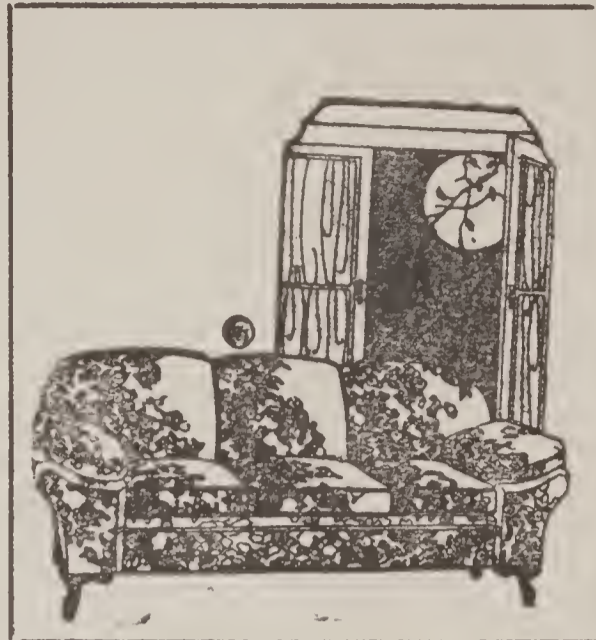
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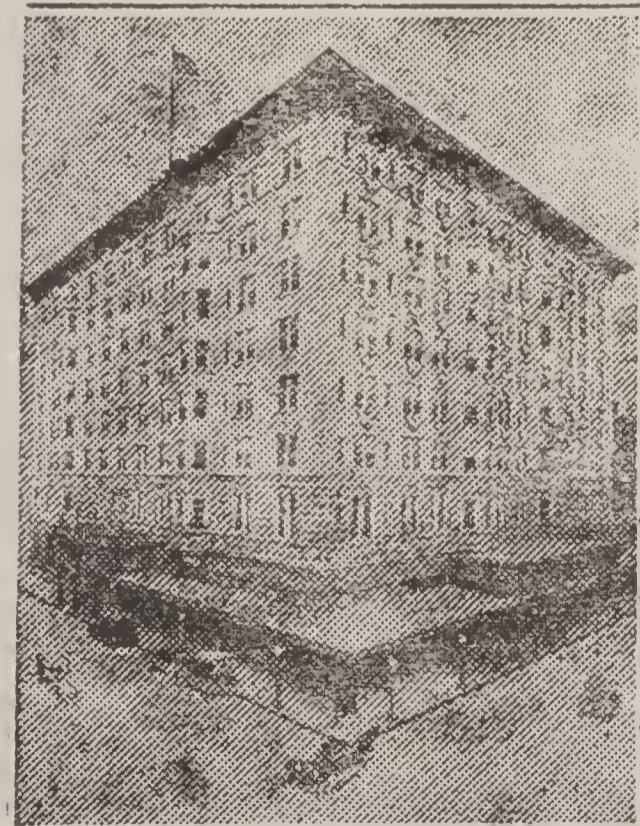
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December 31, 1920

ADMITTED ASSETS

LIABILITIES

First Mortgage Loans.....	\$5,929,277.39	Policy Reserves and, all other	
Real Estate	395,426.64	Liabilities.....	\$9,584,510.39
Policy Loans (within reserve)....	1,733,607.61		
Liberty Bonds.....	887,050.00	Surplus to Policyholders includ-	
Other Bonds.....	270,000.00	ing Capital Stock, \$600,000,-	
Cash on Deposit.....	657,238.49	00.....	763,999.23
All Other Assets.....	475,909.49		
TOTAL	\$10,348,509.62	TOTAL.....	\$10,348,509.62

Insurance in Force - - - \$105,573,682.00

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THE DEMOCRATIC REVIEW

VOL. 1

MARCH, 1921

No. 3

O resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgement of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupilage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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matter at Postoffice, Dallas.

THE DEMOCRATIC REVIEW

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AMENDMENTS TO THE FEDERAL CONSTITUTION.

In the last issue of The Democratic Review, the Fort Worth Declaration of Principles was printed in full; and it is my purpose to discuss that document in orderly sequence, paragraph, by paragraph. According to that program, I shall begin, in this issue, with the first paragraph, which is as follows:

We believe in a representative democracy, as exemplified by this Republic, and we are opposed to the Initiative and Referendum, or any other measure calculated to convert this Government into a direct democracy. Recognizing, however, that constitutions are designed to confer power, or to limit power already conferred, on legislative bodies, we hold that no constitution, or any amendment to it, should be adopted except by the people. Every State in the Union now applies this principle to its own constitution, and we favor an amendment to the Constitution of the United States requiring that hereafter all amendments to it shall be submitted to a direct vote of the people in the several States for ratification or rejection.

It would be an unnecessary tax on the readers' patience to enter upon an argument in behalf of a representative Democracy; for even the advocates of the Initiative and Referendum did not dare directly challenge it, and constantly claimed that they were merely seeking a means to make our Democracy truly representative. Their proposal, however, was a contradiction in logic, as well as terms, and a limited experience with those legislative methods has demonstrated that they involve an abandonment of the representative principle. Indeed, that demonstration became so plain that we now hear very little about the Initiative and Referendum in places where we heard very much a few years ago.

Some of those who are not willing to subscribe to the Fort Worth Declaration of Principles have criticised its first paragraph on the ground that it is inconsistent with itself. They say that it condemns the Initiative and Referendum as tending to establish a direct Democracy, and then proceeds to demand a referendum on amendments to the Federal Constitution. That criticism betrays an ignorance of the very essential difference between constitutions and statutes. In the first place, a constitution creates the government under which the people must live, and it should, therefore, emanate from them; in the second place, a constitution is designed to protect certain inalienable rights of the people against legislative interference, and, therefore, legislators should not be permitted to determine the extent to which they may interfere.

Another, and a very practical, difference between constitutions and statutes lies in the difficulty of correcting a mistake as to one, and in the ease with which a mistake as to the other can be corrected. If an amendment to the Federal Constitution is properly adopted, it is extremely difficult to secure relief from it; it cannot, of course, be declared unconstitutional by the Courts; and to repeal it requires three-fourths of the States. But it is very different with a statute; if Congress passes a bill beyond its power, the Courts will hold it void; or if, within its power, it enacts a law which is hurtful to the interest, or repugnant to the feeling, of the people, a bare majority can repeal it. For those reasons, it may be entirely safe to trust legislators to make or to amend the law, while it might be entirely unsafe to trust the same legislators to make or to amend a constitution.

If the first paragraph in the Fort Worth Declaration of Principles is inconsistent with itself because after condemning the Initiative and Referendum, it demands that amendments to the Federal Constitution shall be submitted to a direct vote of the people, then the same charge can be justly preferred against many of our States. In every State, amendments to its Constitution must be submitted to a direct vote of the people; but in the most enlightened States the Initiative and Referendum have not been adopted. Those who drew the Fort Worth Declaration of Principles deliberately intended to emphasize the distinction between constitutions and statutes; otherwise they would have

demanded the submission of federal amendments to a direct vote of the people without mentioning the Initiative and Referendum.

If it is wise to require that amendments to the Constitution of a State shall be submitted to a direct vote of the people, then, for a stronger reason, amendments to the Constitution of the United States should be subjected to the same rule; because if the people of a State become dissatisfied with any constitutional amendment, they have it in their own power to relieve themselves from it, but no matter how thoroughly they may be dissatisfied with a federal amendment once ratified, they cannot relieve themselves of it. If every man, woman, and child in Texas should become convinced that the Woman-Suffrage Amendment, for instance, ought to be repealed, and if a majority of the States were to join us in demanding its repeal, we would be helpless; for three-fourths of the States would be required to repeal it.

I am one of those who believe that no constitution, and last of all the Federal Constitution, should be amended except to serve an important purpose—to eradicate some serious evil, or to secure some very positive benefit. Experiments in legislation are foolish, and experimenting with a constitution is dangerous. But the amendment which we have proposed will serve a more important purpose, and the necessity for it is so obvious that any opposition to it may be fairly ascribed to a spirit of faction or to a distrust of the people. Instead of presenting an abstract argument, which can be made unanswerable, I prefer to let two particular instances make out our case. They are so recent that nobody can have forgotten them, and they were so flagrant that they must have arrested the attention of every thinking man.

In 1919, the people of Texas voted on a Woman-Suffrage Amendment to our State Constitution, rejecting it by a majority of more than 25,000; and that majority, sufficient as it was, did not measure the full opposition of our people to that amendment. The advocates of woman suffrage made an energetic campaign, actively aided by practically all office-holders and office-seekers, and by four-fifths of the press. On the other hand, the opponents of woman suffrage had no organization, except a small one composed of a few devoted women, who were

without any experience, and thousands of men who were opposed to the amendment took no interest in the contest, believing that the adoption of it could not be prevented. If a proper campaign had been made, the majority against the amendment would have been nearer 75,000 than 25,000.

In less than thirty days after the election at which the people of Texas had rejected a Woman-Suffrage Amendment to our State Constitution, Congress submitted a Woman-Suffrage Amendment to the Federal Constitution, and our Legislature, convened in extraordinary session, promptly ratified it. The people had voted one way, and almost before their ballots had been counted the Legislature voted the other way. Can any man justify such conduct? If it had been a statute which the Legislature passed under such circumstances, the people could have righted the wrong by dismissing those faithless representatives and electing others pledged to repeal it; but no change in representatives could undo what had been done, for the action of one Legislature in ratifying an amendment to the Federal Constitution can not be rescinded by another Legislature.

If the Legislature of Texas had honestly represented the people of Texas, that Woman-Suffrage Amendment would never have become a part of our Federal Constitution; for if this State had rejected it, every other Southern State, with the possible exception of Arkansas, would have followed our example, and enough States in other parts of the Union would have joined us to have defeated its final ratification. Those who then controlled the Legislature of Texas understood that as well as I did, and that was the reason they were so eager to ratify without giving the people a chance to be heard. To our own Legislature, therefore, forever attaches the unspeakable infamy of having betrayed the people in order that they might deprive this State of the right to determine for itself who may, and who may not, vote for its purely local officers.

The other instance occurred in Tennessee. The Constitution of that State provides that no Legislature can ratify any amendment to the Federal Constitution submitted after that Legislature had been chosen. The manifest purpose of that provision is to give the people an opportunity to control the result. But a Tennessee Legislature, chosen before the Woman-

Suffrage Amendment had been submitted, ratified that amendment in a shameless defiance of their State Constitution which they had sworn to support; and the pressure to which that Tennessee Legislature yielded was largely from the outside. With the President of the United States at the head of it, a movement was organized throughout the country to concentrate the suffrage forces on Tennessee; and that was supplemented by the exigent appeal of a presidential candidate.

Reprehensible as was the conduct of the Texas Legislature, it was less reprehensible than the conduct of the Tennessee Legislature. The Texans, it is true, betrayed their constituents; but the Tennesseans did that, and more—they aggravated their treachery by deliberately violating their constitution. No episode in our history is more discreditable than that which marked the ratification of that Suffrage Amendment by Tennessee, and those who debauched the Legislature of that State feared to meet, in the courts of the country, the issue which they had raised. Having secured a pretended ratification of the amendment by Tennessee, they then turned to Connecticut and plead for a ratification by that State, urging that unless Connecticut ratified the amendment, and thus made it valid beyond all doubt, the Tennessee situation would involve the presidential election in a perilous confusion. Thus they made one wrong the pretext for another.

It would not be necessary to amend the Constitution in respect to the submission of amendments, if Congress would wisely exercise the power which it now possesses. The Amendment Article, as it now stands, provides that amendments may be submitted either to the Legislature or to conventions in the several States; and I venture to assert that the men who framed our Constitution provided the double reference to meet uncontested and contested amendments. It was intended that amendments universally approved would be submitted to the Legislatures, so as to avoid the trouble and expense of calling conventions; but it was never expected that important amendments about which a grave difference of opinion existed would be disposed of except by conventions called for that purpose.

The Constitution itself was not submitted to Legislatures, but expressly required its own submission to conventions in the

several States. Referring an amendment to a convention would be almost equivalent to taking a direct vote of the people; because, as such a convention would have no other business before it, the election of delegates to it would turn wholly on the question of ratifying or rejecting the amendment. Those in favor of the amendment would vote for a candidate who agreed with them, while those opposed to the amendment would vote for a candidate who agreed with them; and that would enable the people to insure the execution of their will with almost as much certainty as if they were accorded a direct vote on the question.

When the Woman-Suffrage Amendment was pending in the Senate, a motion was made to refer it to conventions in the several States; but, with two exceptions, every Senator who voted for that amendment voted in favor of submitting it to the Legislatures, and thus secured its ratification by several States which would have rejected it, if it had been referred to conventions. Congress having demonstrated that it cannot be trusted to refer even the most important amendments to conventions, and the Legislatures having demonstrated that they cannot be trusted to respect the will of the people, our only safe course is to deprive Congress of its discretion, and compel it to submit every amendment to a direct vote of the people. In that way—and in that way only—can we make it certain that a great Commonwealth cannot be betrayed in respect to questions over which its power once exercised cannot be re-asserted, and that faithless representatives can never again surrender to the Federal Government a right which should always remain with the States.

THE ADMINISTRATION OF WOODROW WILSON.

Woodrow Wilson has passed out of the Presidency, and his Administration has passed into history, leaving behind a badly disrupted democratic party. Men differ, of course, as to the responsibility for that disruption; partisans of the ex-President impute it to those who would not follow his leadership; and the men so accused charge that it is due to the President's arbitrary and undemocratic conduct. That the latter explanation is the correct one does not, I think, admit of a reasonable doubt. Very soon after Mr. Wilson's inauguration it became

apparent that he had determined to make the democratic party over again, and in pursuance of that determination he began to classify Democrats as "Progressives" and "Reactionaries." The "Progressives" were men who were willing to embrace a new faith, and abandon their old one; the "Reactionaries" were men who refused to abandon their old faith, and embrace a new one. Looking to the best interest of his country and his party, a wise man would have chosen the latter; because they were more steadfast in their principles. But not so with Mr. Wilson; he adopted the "Progressives" as his very own, and wholly excluded the so-called "Reactionaries" from his favor.

In States like Texas, where the party was already divided on that particular issue, Mr. Wilson bestowed all of the offices, as well as all other official favors, on the "progressive" Democrats, and the old fashioned Democrats who would not surrender their principles were denied recognition. Every important appointment accorded to this State, with a single exception, was given to a "Progressive," and the appointment which constituted that exception was made upon the earnest appeal of an ex-Governor, who is a leading "Progressive," and had helped to carry this State for Mr. Wilson in the pre-convention campaign of 1912.

In States where the party had not been divided the President proceeded to divide it by bestowing his patronage on the "Progressives," preferring even Republicans and Socialists over Democrats who had persevered in the faith of their fathers. His last Cabinet appointment was bestowed on Mr. Colby, who had never been, or pretended to be, a Democrat. The result was inevitable. No reasonable man could have expected anything except a bitter resentment on the part of lifelong Democrats in finding themselves proscribed on account of their fidelity to their principles.

Appointments always create disappointments, and when based on personal considerations frequently affect the personal popularity of a President; but such appointments never seriously affect a party. Unfortunately, however, appointments under President Wilson were not based on personal considerations, but were used as a means of promoting a departure from democratic principles. The test of fitness was no longer the Jeffersonian one, "Is he honest, is he capable?" but it was, Will the appointee

aid the President in his effort to establish a "Progressive Democracy?" Confronted with that proposition, every Democrat in the land, even those who did not seek, and would not have accepted, an office, became vitally interested in appointments. That question introduced the dissensions which brought upon us the disaster without a parallel in the history of our party.

Conceding that Mr. Wilson used the patronage of his great office with the deliberate purpose of converting the democratic party into a "progressive party," his supporters justify that course, and offer it as a further claim upon our loyal support. That is a curious process of reasoning, and when analyzed is equivalent to saying that to be a good Democrat a man must be ready to take up or to cast off his political opinions whenever he is commanded to do so. Can Democrats be expected to do that? It has been our proud claim for more than a century that our party is the only one in the history of this country which has ever been organized on definite political principles; and to that fact we have ascribed its survival while so many other parties have risen, flourished for a time, and then dissolved.

I am not one of those who believe that we should cling to an opinion because it is old, any more than I am one of those who believe that we should adopt an opinion because it is new. I am willing to subscribe to this "progressive Democracy," if I can be convinced that it is better calculated to preserve the liberty and promote the welfare of our people; but I must first know what it means. No man with authority has yet ventured to define it. Its sponsors have indulged in some glittering generalities which do not appeal to me. The nearest approach to a definition of it has been the assertion that it has been illustrated by the "great achievements of the Wilson Administration." That is entirely too vague; but as it seems to be the most definite answer which the President's friends are able to make, I suppose we must judge it in that way. Let us, then, analyze those achievements.

The first "great achievement of the Wilson Administration" which they require us to applaud is the "Federal Reserve Act," as it calls itself. That act is not the product of "progressive" Democracy; and they must know that it is not. It is substantially the same banking system which was recommended by the

Monetary Commission, of which Nelson W. Aldrich was the Chairman; and whatever may be its merits or its demerits, it was conceived in the brain of a stalwart Republican. The chief difference between the system recommended by Senator Aldrich and the system enacted under President Wilson is that Aldrich proposed a Central Bank, with branches throughout the country, while the existing law created a Federal Reserve Board, and established regional banks throughout the country. That difference is not essential; for the Federal Reserve Board exercises practically the same power over the regional banks that the Central Bank would have exercised over its branches. There are other differences; but they are details, and even less important than the one which I have just mentioned.

The Democratic Review intends, at some suitable time, to discuss our present banking law at length; but it is not practicable to do that in this editorial. I will, however, take the time now to say that it renders a currency panic impossible under a wise administration of it, and in that vital respect it is excellent. It is also true, however, that it is fatally weak unless wisely administered; and I would not vest in any seven men living today, or in any seven men who have ever lived, such absolute control over the currency of this country as the Federal Reserve Board now possesses. They not only control the currency, but they have assumed a control over all banks; they can prevent a sufficient issue of currency when it is needed, and they can permit an over-issue of currency when it is not needed. But more of all this, hereafter; I am concerned here merely with the Federal Reserve Banking System as an "achievement of progressive Democracy," and the fact that it was originally devised by a Republican sufficiently disposes of that claim.

The second "great achievement" credited to the Wilson Administration is the tariff law now on our statute books; and I freely concede that the difference between Democracy and "progressive Democracy" is thoroughly illustrated by that law. A democratic tariff bill would lay all duties as low as the revenue necessities of the Government would permit, and adjust them so that they would not discriminate in favor of, or against, any class, section, or industry. Does the present tariff law conform to that rule? It does not; because it levies a duty on practi-

cally every manufactured article, while it places all raw materials and all farm products on the free list. Such a law is thoroughly undemocratic, and utterly indefensible. No man has ever yet been able to give a good reason why manufactured products should be subject to a duty and agricultural products should be imported without a duty.

What is the difference between the factory and the farm which warrants the levy of a duty on the products of one, and not on the products of the other? The same rule should be applied to both. If the farmer must buy in a taxed market, he has the right to sell in a taxed market; and if the farmer must sell in a free market, he has a right to buy in a free market. These propositions are so indisputably sound that Democrats once regarded them as among the proverbs of Democracy. The apologists for that unjust discrimination attempt to excuse it by saying that farm products are the necessaries of life; but that is not sufficient. We must have clothes no less than bread. Indeed, we must have clothes even if we go without bread; for the law does not compel us to eat bread, but it does compel us to wear clothes when we appear in public.

But notwithstanding the fact that the people must buy clothes, our present law imposes an average duty of more than 35 per cent on them, and at the same time imposes no duty at all on the raw material out of which they are made. It would be difficult to imagine a grosser discrimination than that. The people buy clothes because the law compels us to wear them, and also for the sake of decency and comfort; the manufacturers buy the raw material out of which clothes are made, purely for the sake of the profit which they can make by manufacturing it into cloth; and yet these "progressive" statesmen have enacted a law which levies a duty of more than 35 per cent on the clothing made out of that duty-free material. Why should the toiling millions be subjected to these tariff taxes, while the rich manufacturers are exempted?

My first difference with the Wilson Administration arose over the tariff bill. I protested against its provisions placing raw materials and farm products on the free list, while manufactured goods were placed on the dutiable list. I pointed out the injustice to the South and West, and entreated them not to

signalize the democratic party's accession to power by discriminating against those who had loyally supported its ticket. Neither Senator Underwood, who was then in the House of Representatives and had charge of the bill there, nor Senator Simmons, who managed the bill in the Senate, believed in free raw materials or free farm products; but the President demanded both, and he had his way in that matter as he did in everything else during the first six of his eight years in the presidential office.

Before that law had been in operation long enough to reveal its injustice, the European war came, with the consequent decrease in supply and increase in demand. Then followed our own participation in that war, and with the whole civilized world under arms, all economic laws were, to an extent, suspended. But within a reasonable time after hostilities had ceased and our country was approaching again a normal condition, the injustice of our tariff law began to exhibit itself so plainly that a republican committee proposed a bill to remedy it. Many Democrats—among them several from Texas, including Senator Sheppard in the Senate and John N. Garner in the House, voted for that republican bill to remedy an injustice which had been inflicted upon our farmers and ranchmen by a democratic bill.

In proclaiming the present tariff law as one of their "great achievements," the "Progressives" have helped the people to better understand the difference between Democracy and "progressive Democracy" on the tariff question. If the law may justly discriminate against our farms and in favor of our factories, then the "progressives" may be right, and we may be wrong; but if the law cannot justly discriminate against our farms and in favor of our factories, then we must be right, and the "Progressives" must be wrong. That is one of the questions which the democratic party must decide before it enters upon another presidential campaign; and in order that the decision may truly reflect the will of the people, it ought to be fairly discussed on every suitable occasion. The Democratic Review will contribute its full part to that discussion.

The third "great achievement of the Wilson Administration" over which we must enthuse or be condemned by the Wilson worshipers is the law establishing the Farm Loan Banks, which,

also, emphasizes the difference between Democracy and "progressive Democracy." The democratic party would never have passed that law; for the very sufficient reason that Congress had no constitutional power to pass it. The men who prepared that Farm Loan Bank Bill knew that as well as I know it, and in order to give their measure a semblance of constitutionality, they wrote a falsehood in it. The Act itself declares that the banks organized under it should become fiscal agents of the United States; but they knew perfectly well that those banks would never be so employed, and it was not intended that they should be. That declaration was incorporated in the law solely for the purpose of preventing the courts from declaring it unconstitutional, and that subterfuge saved it.

But I go further, and I say frankly that the Farm Loan Bank Law ought never to have been passed, even if Congress had possessed the power to pass it; because it is class legislation pure and simple. If the Government should provide our farmers with money to buy their farms, then it should provide mechanics with money to buy their homes; and if it does the one, it will, in time, do the other. Nor will that be all. Having provided the farmer with money to buy his farm, and the mechanic with money to buy his home, Congress can not deny the petition of other classes for a similar favor. If any one is served in this way, all who come have a right to be served in the same way; and the Government will soon find itself under the necessity of raising money by taxation to finance those banks. We shall then see the beginning of the end. The Government has a perfect right to tax all men for the purpose of raising money to defray its own expenses; but it has no right to tax any man for the purpose of raising money to lend to another man, and such legislation must eventuate in Socialism.

Not only is this law class legislation; but it discriminates even among the class for whose benefit it was designed. I doubt if 5 per cent of our farmers patronize the Federal Loan Bank, and the other 95 per cent derive no advantage from it. Its benefits are limited to a few; and the worst aspect of that condition is that the farmers who can borrow money from it are those who have the least need of governmental assistance, while the farmers who stand most in need of governmental assistance

can not borrow money from it, because they have no land to offer as security. I have no patience with the demagogues who are always crying aloud about the poor, because I know that they are more interested in getting an office than they are in the welfare of the poor; but I do say, and I say it without hesitation or qualification, that if it is the duty of the Government to provide for anybody, it ought to provide first for those who are not able to provide for themselves.

I will go further still, and say that if the Farm Loan Bank Law were constitutional, and if it were not class legislation, it ought not to have been enacted; because its effect on the minds of our people will be injurious in more than one respect. In the first place, its tendency will be to incline the individual to look more to the Government, and less to his own exertions. I sincerely wish that every farmer owned his farm and that every mechanic owned his home; but I know the importance of having every man in a free country feel that he has worked, made, and saved what he owns. That cultivates the spirit which makes men free, and keeps nations independent. Liberty can not long survive the loss of self-reliance among the people; for whenever men come to expect that the Government will do much for them, they are not apt to do very much for themselves. A modest home which shelters a man who is proudly conscious that he earned the money which paid for it is worth more to this Republic than a palace whose owner knows that it was bought with the favors of the Government.

In the second place, the tendency of this law will be to encourage men to mortgage their lands, and to continue them under mortgage. That tendency is inevitable under any system of long-time loans, at a low rate of interest. Admitting the correctness of what I have just said, it is contended by some that such a tendency is not harmful. That raises the question of whether it is better to pay a debt as rapidly as possible or to take as long a time as possible in which to pay it; and here again we are confronted with a difference between Democracy and "progressive Democracy." Democracy has always believed and taught that it was a wise policy to pay as you go; but "progressive Democracy" believes and teaches to the contrary, and enormous debts, National, State, County, and Municipal, have

been contracted during the last few years by the "progressive" politicians who have administered those various divisions of the Government.

Democrats recognize that men will incur debts in the purchase of land, and we do not regard that as unwise; but we do regard it as very unwise to postpone the payment of them longer than necessary. We know that few men are provident enough to anticipate the payment of their debts; and with the payment postponed for almost the life of a man, the effort to pay will be relaxed, and money which, under a different system, would be applied to the discharge of land mortgage debts will be spent for other and unnecessary things. I would rejoice if all farmers could own their farms; but a mortgaged farm is only partially owned, and it is better for the farmers themselves that they shall own less land and have what they do own paid for in full, than it is for them to own more land, and have it all mortgaged. This law will tend more to encourage men who have lands to mortgage them than it will to encourage men who have no lands to buy them.

The origin of this law does no credit to its authors. Learning in some way that certain countries in the Old World—notably Germany—had these land banks, and forgetting how widely the relations between the people and the Government there differ from the relations between the people and the Government here, they proceeded to copy largely from the German law on that subject. It is far from my mind to say anything which could intensify an ungenerous prejudice against any nationality; but I cannot forbear the observation that it was a foolish American Congress which sought to Germanize the land loans of this country. Their theory of government is not ours, and our theory of government is not theirs. With them, the State is the guardian of the people; with us the people are the guardians of the State. With us, the duty of the Government is not to help any citizen acquire a home, but to protect every citizen in the full enjoyment of the home which he has acquired.

There are other "great achievements of the Wilson Administration" to be discussed; but I will defer their discussion until the next issue, because what I have now written will occupy as

much space as ought to be devoted to any one subject in a single issue of this magazine.

ANOTHER PROGRESSIVE VIEW OF MARRIAGE.

In the last issue, I presented "A 'Progressive' View of Marriage," upon which I briefly commented; and in this issue, I feel it my duty to call attention to another and peculiar view urged upon us by an influential class of women, who demand that the marriage relation, as it now exists, shall be altered to the extent of permitting a married woman to retain her maiden name instead of taking her husband's name. That seems such an absurd proposal that many people will consider it a waste of time to talk about it; but they would think differently if they knew how many of these so called "women leaders" advocate it. Only a few weeks ago Miss Margaret Wilson, a daughter of the President of the United States, publicly approved that proposition. The Washington Post, one day last month, printed the following:

WOULD USE MAIDEN NAMES.

Woman Pays Club Plan Indorsed by Miss Margaret Wilson.

New York, Feb. 2.—Miss Margaret Wilson, the President's daughter, has indorsed a resolution of the Woman Pays Club advocating the use by professional women of their maiden names, regardless of marriage, it was announced after a luncheon given in her honor here today. Authors, composers, playwrights, musicians and other self-supporting women comprise the club's membership.

According to that plan, proposed and endorsed by these female "intellectuals," Mr. Jones' wife, in law, may remain Miss Smith, in name. That a man and woman, each bearing a different name, should live together as man and wife borders on the indecent; the very suggestion of it degrades the marriage relation, and nothing could be better calculated to distil a subtle poison into the minds of our men and young women. The fact that it is there only proposed to extend that special privilege to "professional women" does not diminish the danger; for the bad example of such women is the more apt to be imitated. Our pious mothers taught us that the "twain shall be one flesh." But

if we were to repeat that scriptural rule to those "progressive" women, they would probably say of the Bible, as their "progressive" brothers do of our Constitution, that while it was perhaps good enough for the time in which it was written, the world has outgrown it.

The Democratic Review does not concern itself with conduct or opinions which affect only private individuals; but the marriage relation is a matter of such great importance to the country that it wears a political aspect, and it is that aspect which moves this magazine to discuss it. The marriage relation is the basis of the home, and the home is the basis of all civilization. Without the marriage relation, there could be no home in which a race of sturdy freemen could be born, or reared; and without such men this Republic can not endure. A large majority of our people understand that; but they do not seem to understand that many others dispute it. We must recognize that the marriage relation, as it has been established and maintained in this country, is under challenge; and we must also recognize that the people who are crying out for a "new day" in politics are unwittingly helping to bring on us a "new day" in our home life.

When these apostles of "a new relation between the sexes" first appeared among us, they were abhorred by every Christian maid and mother; but gradually the abhorrence has passed away, and a woman who now insists that marriage shall be treated purely as a civil contract is hailed as more "progressive" than her sisters who think otherwise, and she does not impair her social standing or render herself less welcome wherever she may go. Indeed, society seems rather to enjoy the company of those who entertain such "daring thoughts;" and they have gained rather than lost in social prestige. But what a commentary on society! We must not lay the flattering unction to our souls that these changes have occurred elsewhere, but not with us; for, I regret to say, we cannot claim exemption from them.

Less than two years ago a woman who had publicly scoffed at the marriage ceremony as a "mockery and a relic of the barbaric ages" was invited to this State, and received as an honored guest in the homes of our most respectable people. She was greeted everywhere she went with such applause as was never

before bestowed upon any woman in Texas; and although she had never pretended to be a Democrat, the then Chairman of the State Democratic Committee travelled from Dallas to Fort Worth in order that he might "enjoy the honor of introducing Miss Shaw" at a political meeting there. I understand, of course, that there is a difference between the marriage ceremony and the marriage relation; but the difference is not very great, and whoever begins by denouncing the one will end by denouncing the other. I am not much given to ceremonies; but the marriage ceremony is one in which I devoutly believe, and I confess myself unable to believe in any man or any woman who does not believe in it.

THE AGRICULTURAL PRIMACY OF TEXAS.

Every intelligent Texan knows that the agricultural products of this State exceed in value the agricultural products of any other State in the Union; but many of them do not know the extent of our primacy in that respect. The Federal Department of Agriculture recently issued a bulletin giving, State by State, the value of all crops last year, based on prices paid to producers as of December 1, 1920. According to that bulletin, the crops of Texas were worth, in round numbers, \$730,000,000, while the crops of Iowa, which was second to Texas, were worth, in round numbers, only \$460,000,000. and the crops of other great States, like Illinois, Ohio, Missouri, and Indiana, were still further below us in their value. But pronounced as our advantage is, or was last year, it is but the suggestion of what we can and will make it in the years to come.

There are important questions connected with the agricultural development of this State which The Democratic Review expects to discuss from time to time; but they are reserved for a separate consideration hereafter. My present purpose is to impress upon the minds of our people that Texas is essentially an agricultural State; and its material welfare must always depend, in a large measure, on a successful cultivation of its farms. We have our manufactures, and I rejoice to see them increase; we also have our profitable commerce, and I shall cheerfully assist in extending it; but after all, our manufactures and

our commerce are sustained by the patronage furnished by the farms. With us, it is as true financially as it is physically that everything rests upon the earth. As our farmers prosper everybody in Texas prospers with them; and the reverse is likewise true.

Washington declared that agriculture is the oldest and most honorable occupation of man; and he might have added that it is the occupation which is, above all others, essential to the comfort and the happiness of the human race. Those are high claims upon our good-will; but they are not the only claims which recommend the farmers of Texas to the people of Texas. They not only pursue an ancient and an honorable calling; they not only supply us with our bread and our meat,—but they produce the wealth which builds our factories and expands our commerce. In paying this tribute to our farmers, I am not thinking of what they may think of me for what I have said about them; but I am thinking that it will be helpful to the State if all other classes better appreciate what we owe to those who “follow the plough.” And, moreover, if what I have said produces any effect on the minds of our farmers, it will only be to make them think more of themselves, and not less of other people. I despise the demagogue who strives to engender class prejudice; but I love the patriot who endeavors to encourage a just class pride.

TWO OBJECTIONS JUSTIFIED.

Long before the question of equal suffrage for the sexes had become acute, I stated, as one of my objections to it, that the introduction of women into our electorate would inevitably tend to eliminate from our public discussions what we have been in the habit of calling the fundamental principles of this government. That opinion was based upon a knowledge that the women who would be most certain to become active in our politics would be those who are more intent on “reforming” society than on preserving great principles; and the history of our own country, as well as the history of all other free countries, makes it plain that all such politicians are impatient of the very restraints

which are necessary to secure the blessings of liberty to ourselves and our posterity.

Reformers are always aiming at what they think is a practical good; and in seeking to accomplish that, their efforts lead toward a Socialism—a larger control over the individual by the Government, and to a less control of the individual over himself. It is inevitable that where such issues are pressed upon the attention of the people the more supremely important question of administering the Government according to the principles on which it was founded will disappear from our discussions; because the advocates of Socialism will not discuss fundamental principles, and the opponents of Socialism are apt to occupy their time in answering the arguments advanced by the other side, which means that our debates will constantly descend from the essentials of government to mere questions of the day.

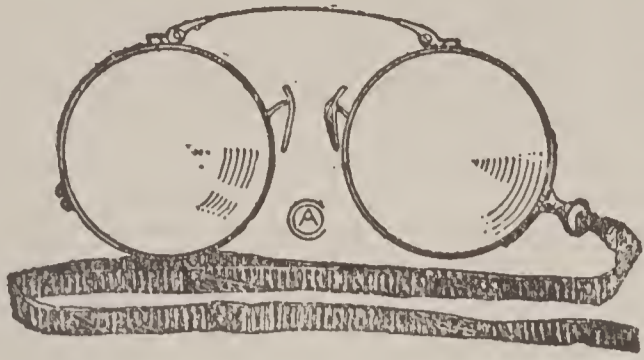
I also stated, as one of my objections to female suffrage, that the introduction of women into our electorate would be certain, for a time at least, and possibly for all time, to inject into our politics an appeal to sex; and that opinion was based upon the knowledge that the campaign for woman suffrage had been conducted on a plan which inevitably segregated women voters. We know what that means. We have had an ample experience in what it means to divide our voters into groups. The Irish vote, the German vote, and the labor vote have long been the problem of our practical politics; but conciliating the Irish vote, or the German vote, or the labor vote, was mere child's play as compared with the task of conciliating the woman vote.

Both of the objections which I have recalled above were fully justified at a meeting of the National Woman's Party, held recently at Washington. I did not attend its sessions, but I followed the proceedings as closely as I could by reading the printed reports. From the time that convention was called to order until the final adjournment was declared, not a single reference was made to the fundamental principles of this government; but the demand was for more legislation, and for a larger substitution of the will of the government for the will of the individual. If those women can have their way, the paternal government with which we have been afflicted for several years

—and God knows that was bad enough—will yield to a **maternal** government, which will be infinitely worse.

A part of the programme was arranged so that spokesmen for the various political parties could present their respective claims on the support of the women assembled; and the arguments were addressed to them, not as American citizens, or as Democrats, or as Republicans, or as Socialists, but solely as women. Some of those arguments were well calculated to do more than raise a sex issue—they would, if followed to their necessary conclusion, provoke a sex antagonism. Those women were urged to support each particular party because that party had done this or that for the women, and not because it had done some great service for all of the people. It does not require any special wisdom for a man to discern that if this is to be the rule which governs women in their political conduct, they are to become, not citizens, not voters, not Democrats, not Republicans, and not Socialists, but they are to be **women in politics**; and nothing could be more hurtful either to the women themselves or to the country.

The grace to save us in our present situation will be found in the good sense of the American women who are not politicians, and have no thought of becoming politicians. Those women have never desired to vote, and do not now desire to vote; because they are unwilling to divert their time and attention from their home duties and their social duties to the strife and turmoil of politics. They were satisfied to trust the government of their country to their husbands, their fathers, their sons, and their brothers; but they will vote hereafter, because they are coming to understand that if they remain at home while the other kind of women go to the polls, our country will be governed by those who will legislate for us according to their vagaries, instead of according to sound principles. One of the curious developments of woman suffrage will be that the men who were earnest in opposing it will hereafter be the most earnest in urging the women of their families to vote, and the women who did not desire the franchise will, in due time, exercise it with the greatest regularity.



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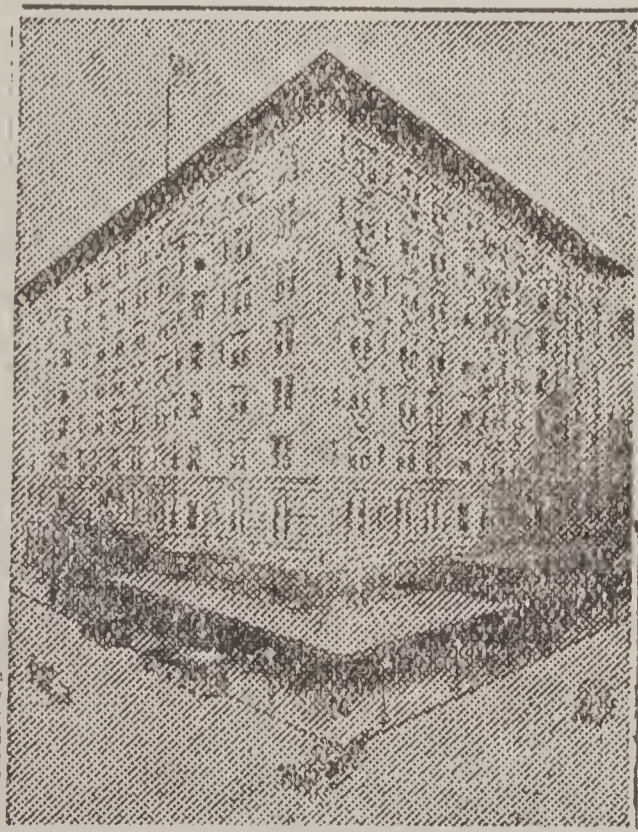
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ADMITTED ASSETS

First Mortgage Loans.....	\$5,929,277.39
Real Estate	395,426.64
Policy Loans (within reserve)....	1,733,607.61
Liberty Bonds.....	887,050.00
Other Bonds.....	270,000.00
Cash on Deposit.....	657,238.49
All Other Assets.....	475,909.49

TOTAL..... \$10,348,509.62

LIABILITIES

Policy Reserves and, all other Liabilities.....	\$9,584,510.39
Surplus to Policyholders includ- ing Capital Stock, \$600,000,- 00.....	763,999.23

TOTAL..... \$10,348,509.62

Insurance in Force - - - \$105,573,682.00

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THE DEMOCRATIC REVIEW

VOL. 1

APRIL, 1921

No. 4



TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgement of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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Entered as second class mail matter at
Postoffice, Dallas.

THE DEMOCRATIC REVIEW

Owned, Controlled and Edited by Joseph W. Bailey

Published Monthly. Dallas, Texas. \$1.50 Per Annum.

A WRITTEN CONSTITUTION.

In the February number of the Democratic Review I printed the Fort Worth Declaration of Principles, and announced that I would discuss that document, paragraph by paragraph, until I had presented the argument in behalf of the whole. In pursuance of that plan I discussed the first paragraph in the March number; and in this number I shall consider the second paragraph, which reads as follows:

“We believe in a written constitution, and in a faithful obedience to all of its provisions. We especially denounce, as fraught with the gravest danger, the enactment of legislation under the pretext that it is designed for a constitutional purpose, when the authors of it perfectly understand that its purpose is wholly unconstitutional. Such legislation is doubly vicious; because it is based upon a false pretense discreditable to Congress, and violates the constitution in a manner to prevent judicial correction.

That this Republic should have a written constitution is conceded by all men in this country; and I need not, therefore, extend this editorial with any argument on that question. It is further admitted by all men that a written constitution ought to be obeyed as it was written; but many of our present day politicians do not conform their legislative conduct to that admission, and they are constantly devising means to evade the constitutional limitations on their power. Their conduct in that respect has rendered the practice denounced in the second sentence of the paragraph above quoted from the Fort Worth Declaration of Principles a matter of deep and immediate con-

cern to every man who believes in a constitutional government. Has any Congressman elected under a Constitution which requires him to swear that he will support it, a moral or a political right to support a measure in palpable conflict with that constitution?

That the above question should need a discussion among men claiming to be Democrats is one of the amazing developments of modern politics; for until recent years, no matter how much democratic Senators and Representatives may have differed about the constitutionality of particular measures, none of them ever voted for one which he knew to be clearly unconstitutional. But with the advent of "progressive Democracy," all of this has changed, and its leaders boldly urge Congress to enact measures which they know to be unconstitutional. They denounce the courts for holding that all laws in conflict with the Constitution are void, and many of them have gone so far as to demand that any Judge who delivers a decision to that effect should be impeached.

Unable, however, to convince our courts that a bill repugnant to the Constitution ought, nevertheless, to be the law of the land, they have invented a method of violating the Constitution by passing laws under false pretenses, and one method of doing that is by the levy of a tax. They resort to that method; because years ago the Supreme Court of the United States decided that as Congress possesses the power to levy taxes, the courts can not inquire into the motives with which any given law was enacted and say that it was not enacted for the purpose of raising revenue. That may, or it may not, be a wise rule for the courts to follow; but whether wise or otherwise, it does not apply to legislators, for they always know when they vote whether or not they are voting in favor of a particular bill for the purpose of raising revenue to support the Government.

I freely admit that the practice of passing unconstitutional laws under the false pretense of raising revenue originated with the republican party before this "new thought" had begun to manifest itself in the democratic party; but that bad republican example is now eagerly followed by these "progressive Democrats." The first legislation of that kind enacted in our time was the Oleomargarine Bill, the purpose of which was to pro-

tect the dairies of the country against the competition of certain cotton-seed oil products. I had the honor to take a principal part in the debate of that bill, and when the final roll was called on it, every democratic Senator, with a single exception, voted against it. The single democratic Senator who voted for it, when afterwards defeated for re-election to the Senate, accepted an appointment from a republican President, and held office under a republican Administration for several years.

No man in the Senate then pretended to believe that Congress had any power to regulate the manufacture and sale of oleomargarine in the several States; and if their bill had so provided, the courts would have promptly pronounced it unconstitutional. In order, therefore, to save it from judicial condemnation, the Republicans resorted to a false pretense and levied a tax designed to do, indirectly, what it was admitted they had no power to do, directly. The bill was drawn as a revenue measure simply to bring it within those decisions of the Supreme Court which hold that as Congress possesses the power to levy taxes, the courts can not assume to look into the minds and hearts of congressmen and say that they did not levy that particular tax for the purpose of raising revenue.

What is known as the "Fossy Jaw Match Law" was another bill passed by the Republicans under a false pretense. That is the bill about which we heard a great deal during the last campaign in Texas, and particularly from the club women of our State. They went about denouncing our candidate for Governor because he had voted against it, and asserting everywhere that he was in favor of manufacturing matches by a process which inflicted a dreadful disease upon the women and the children who worked in certain match factories. They did not know—or if they knew, they gave no sign of knowing—what his real objection was. The authors and supporters of that bill conceded that Congress has no power to say how matches shall, or shall not, be manufactured in any State. They dared not write their bill so as to disclose its real purpose, and they deliberately made it a tax measure so as to save it from being held unconstitutional by the courts. Every man who voted for that bill knew that it was not intended to raise revenue.

The vote on the "Fossy Jaw Match Bill" exhibited the "prog-

ress" which this "new thought" had made in the democratic party; because many of the same Democrats who voted for it had voted against the Oleomargarine Bill. Having once abandoned a principle in which they had always professed to believe, these faithless Representatives and Senators "progressed" rapidly, and soon grew bold enough to vote for a bill directly regulating child labor in the States. That was a somewhat bolder pretense than the Republicans had yet ventured upon; but it was still a false pretense. It is true that they attempted to justify that legislation under the claim that it was a regulation of Interstate and Foreign Commerce; but there was not a man in either House of Congress who voted for that Child Labor Bill believing that it was really intended to regulate Interstate and Foreign Commerce. They all knew that the purpose of it was to regulate child labor in the several States, and for that reason the Supreme Court held it unconstitutional.

Did those "progressive Democrats" accept the decision of the highest Court, and abandon their efforts to regulate child labor within the several States? Not at all! Defeated in their direct attempt to violate the Constitution which they had sworn to support, they resorted to the republican subterfuge of levying a tax. They deliberately took the bill which had been condemned by the highest court in the land as an unconstitutional invasion of the rights of these States, and incorporated it in a revenue bill, hoping thus to prevent the Court from passing judgment on its constitutionality. No man in that Congress voted for the child labor section of that bill for the purpose of raising revenue; and every man who supported it did so for the purpose of regulating child labor, which the Supreme Court had decided that they had no right to do—and their own intelligence had told them the same thing before the Supreme Court had spoken on the subject.

I could specify many other laws like those mentioned above; but to do so would extend this editorial beyond all reasonable length, and those which I have commented on are sufficient to impress every thoughtful man with the danger of such conduct. And what excuse do these men offer for thus paltering their own conscience, and violating the Constitution which they had sworn to support? Their excuse, and their only excuse, is that

they were legislating in accord with the "progressive spirit of this age." What a gross misuse of good words! If to debauch the legislative conscience, and make the legislator indifferent to his oath, is progressive, then I rejoice all the more that I am one of those "old fashioned Democrats" who believe that the oath of office is not an idle ceremony, and that the men who take it ought to keep it "without mental reservation or purpose of evasion."

"BAILEY VOTED WITH THE REPUBLICANS."

When the Payne-Aldrich Tariff Bill, and the Reciprocity Treaty with Canada were pending, and for two or three years after they had been disposed of by the Senate, the anti-Bailey men of this State, under the leadership of the Dallas News, habitually asserted that I always voted with the Republicans on the tariff question, and the recent revival of that question seems to have revived that false accusation against me. Almost every day I receive a letter from some friend saying that this charge is now being made against me, and asking me to refute it. If this matter related only to me, I would not be willing to use the Democratic Review in refuting it; but, as it more or less involves the political history of this State, I think it entirely proper that the Democratic Review shall furnish its readers correct information on the subject, and I herewith reproduce from the Congressional Record, the answer which I made to that calumny on the floor of the Senate.

In the House of Representatives

January 24th, 1912.

VOTES ON RECIPROCITY AND TARIFF BILLS.

"Mr. Bailey. Mr. President, during the last session of this Congress many newspapers and politicians asserted with wearisome iteration that I was constantly acting and voting with the Republican majority upon all tariff questions, and even after that session adjourned those same newspapers and politicians

continued to repeat that assertion. I have little patience with an argument predicated upon the fact that a Democrat voted with Republicans, or that Republicans voted with Democrats, because I think it infinitely more important to inquire whether a man voted right or wrong than whether he voted with or against certain men; but since those who have assailed me appear to consider that a sufficient argument to satisfy the intelligence of those to whom they have addressed it, I think it permissible for me to answer them with an argument reduced to their own level.

If I expected, or if I desired, to remain in the Senate, I would allow that misrepresentation to pass without even a contradiction; but as I am soon to retire from the public service, I feel that I owe it to those who have so long and so generously honored me with their confidence to make an official exposure of this falsehood, and I have therefore caused to be prepared a table which shows every roll call on any aspect of the tariff question during our last session, and I now ask unanimous consent to have it printed as a public document, together with a recapitulation of it.

“Mr. President, this table will show, not only that I voted against the Republican majority oftener than any other Democrat in the Senate, but it will also show that I voted with the Republican majority less than any of my Democratic associates, except the Senator from Tennessee (Mr. Lea), the Senator from South Carolina (Mr. Tillman), and the Senator from Maryland (Mr. Rayner), who were detained from our sessions on account of sickness, and the Senator from Mississippi (Mr. Percy), who was engaged in the Mississippi campaign. In the following votes the names of all Republican Senators are printed in Roman text, while the names of all Democratic Senators are printed in italics.”

The tabulated roll calls extend through fifty pages of a public document, and it is therefore impracticable to reprint them in this magazine; but the recapitulation of those roll calls fully answers my purpose, for it gives the final result, and I herewith print.

**TABULATED STATEMENT OF THE VOTES OF
DEMOCRATIC SENATORS.**

	Voted with Repub. Majority	Voted against Repub. Majority	Did Not Vote	Total Roll Calls
Mr. Bacon	28	17	4	49
Mr. Bailey	7	36	6	49
Mr. Bankhead	22	16	11	49
Mr. Bryan	25	14	10	49
Mr. Chamberlain	30	18	1	49
Mr. Chilton	28	17	4	49
Mr. Clark	11	27	11	49
Mr. Culberson	17	9	23	49
Mr. Davis	19	9	21	49
Mr. Fletcher	27	20	2	49
Mr. Foster	25	15	9	49
Mr. Gore	22	13	14	49
Mr. Hitchcock	26	12	11	49
Mr. Johnson, Maine	26	20	3	49
Mr. Johnson, Alabama	27	19	3	49
Mr. Kern	26	20	3	49
Mr. Lea	1	7	41	49
Mr. Martin	30	19	0	49
Mr. Martine	27	22	0	49
Mr. Myers	29	18	2	49
Mr. Newlands	23	14	12	49
Mr. O'Gorman	17	15	17	49
Mr. Overman	24	20	5	49
Mr. Owen	21	20	8	49
Mr. Paynter	19	14	16	49
Mr. Percy	1	1	47	49
Mr. Pomerene	25	23	1	49
Mr. Rayner	3	0	46	49
Mr. Reed	28	21	0	49
Mr. Shively	30	18	1	49
Mr. Simmons	11	32	6	49
Mr. Smith, South Carolina.....	29	14	6	49
Mr. Smith, Maryland	20	11	18	49

Mr. Stone	25	9	15	49
Mr. Swanson	28	20	1	49
Mr. Taylor	25	12	12	49
Mr. Terrell	0	0	a10	49
Mr. Thornton	10	17	22	49
Mr. Tillman	0	0	49	49
Mr. Watson	26	19	4	49
Mr. Williams	24	11	14	49

a—Resigned.

“POLITICAL PREACHING.”—REPLY TO DR. NEVIN.

The increasing activity of clergymen in our politics, during the last few years, has called sharp attention to that question, and many thoughtful men who gave no special attention to it at first, are now beginning to realize its damage to the church, as well as to the Government. This is not the only time in our history, when clergymen have been perniciously active. But the better sense of the clergymen, themselves, combined with the protests of Christians and patriots in that other time, saved both our politics and our religion from the baleful effect of clerical activity in public affairs. When the clerygmen were most active, immediately preceding the war between the States, as well as during the war and immediately after it, the Hon. Jeremiah Black printed a letter to one of them, which states the argument against “Political Preachers” as clearly and as convincingly as it can be stated, and that argument ought to be carefully read by every thoughtful man in this republic.

The “political preachers” cannot dismiss what Mr. Black said as the utterance of some ungodly critic, for he entertained a profound respect for religion. Indeed, his relation with the Church was such that he was selected by the Churches to answer the attack which Robert G. Ingersoll had made on the Christian religion, and his answer to Ingersoll is printed in the same volume, which contains his celebrated letter on “Political Preaching.” Not only did Jeremiah Black enjoy the confidence of church men, but he was revered by all true Democrats. He was the Attorney General in the cabinet of James Buchanan, and was selected from among all the lawyers in the United States, to represent the Democratic party before the Electoral Com-

mission, where he made a powerful but unavailing appeal against the theft of the Presidency by that body. While Mr. Black's letter is longer than I would ordinarily be willing to print in this Magazine, it is of such great excellence that I am sure our subscribers will cordially approve its reproduction here. I entreat every subscriber to read it carefully and in full.

York, July 25, 1866.

To the Rev. Alfred Nevin, D. D.:

My Dear Sir:

Your letter addressed to me through the Philadelphia "Evening Bulletin" disappoints me, because I did not expect it to come in that way, and because it does not cover the subject in issue between us; but, if I am silent, your friends will say, with some show of reason, that you have vindicated "political preaching" so triumphantly that all opposition is confounded. I must, therefore, speak freely in reply. In doing so, I mean to say nothing inconsistent with my great respect for your high character in the Church and in the world. The admirable style and temper of your own communication deserve to be imitated.

I fully concede the right you claim for clergymen to select their own themes and handle them as they please. You say truly that neither lawyers nor physicians, nor any other order of men, have the least authority to control you in these particulars. But you will not deny that this is a privilege which may be abused. You expressly admit that some clergymen have abused it, **"and, by doing so, did more than any other class of men to commence and continue the late rebellion."** While, therefore, we can assert no power to dictate your conduct, much less to force you, we are surely not wrong when we entreat you to impose upon yourselves those restrictions which reason and revelation have shown to be necessary for the good of the Church and the safety of civil society.

I acknowledge that your commission is a very broad one. You must "declare the whole counsel of God," to the end that sinners may be convinced and converts built up in their most holy faith. Truth, justice, temperance, humility, mercy, peace, brotherly kindness, charity—the whole circle of the Christian virtues—must be assiduously taught to your hearers; and, if any of them be inclined to the opposite vices, you are to denounce

them without fear, by private admonition, by open rebuke, or by a general delivery of the law which condemns them. You are not bound to pause in the performance of this duty because it may offend a powerful ruler or a strong political party. Nor should you shrink from it when bad men, for their own purposes, approve what you do. Elevate the moral character, enlighten the darkness, and purify the hearts of those who are under your spiritual charge at all hazards, for this is the work which your great Taskmaster has given you to do, and he will admit no excuse for neglecting it.

But this is precisely what the political preacher is not in the habit of doing. He directs the attention of his hearers away from their own sins to the sins—real or imputed—of other people. By teaching his congregation that they are better than other men, he fills their hearts with self-conceit, bigotry, spiritual pride, envy, hatred, malice and all uncharitableness. Instead of the exhortation, which they need, to take the beam out of their own eye, he incites them to pluck the mote from their brother's. He does not tell them what they shall do to be saved, but he instructs them carefully how they shall act for the destruction of others. He rouses and encourages to the utmost of his ability those brutal passions which result in riot, bloodshed, spoliation, civil war, and general corruption of morals.

You commit a grievous error in supposing that politics and religion are so mingled together that you can not preach one without introducing the other. Christ and his apostles kept them perfectly separate. They announced the great facts of the gospel to each individual whom they addressed. When these were accepted, the believer was told to repent and be baptized for the remission of his sins, and afterwards to regulate his own life by the rules of a pure and perfect morality. They expressed no preference for one form of government over another. They provoked no political revolutions, and they proposed no legal reforms. If they had done so, they would have flatly contradicted the declaration that Christ's kingdom was not of this world, and Christianity itself would have died out in half a century. But they accepted the relations which were created by human law, and exhorted their disciples to discharge faithfully the duties which arose out of them. Though the laws which

defined the authority of husbands, parents, masters, and magistrates were as bad as human perversity could make them, yet the early Christians contented themselves with teaching moderation in the exercise of legal power, and uniformly inculcated the virtues of obedience and fidelity upon wives, children, slaves and subjects. They joined in no clamors for or against any administration, but simply testified against sin before the only tribunal which Christ had erected on earth—that is to say the conscience of the sinner himself. The vice of political preaching was wholly unknown to the primitive Church.

It is true that Paul counseled obedience to the government of Nero, and I am aware that modern clergymen interpret his words as a justification of the doctrine that support of an existing administration is “part of their allegiance to God.” Several synods and other ecclesiastical bodies have solemnly resolved something to that effect. But they forget that what Paul advised was simple submission, not active assistance, to Nero. The Christians of that day did not indorse his atrocities merely because he was “the administration duly placed in power.” They did not go with him to the theatre, applaud his acting, or praise him in the churches when he kidnapped their brethren, set fire to a city, or desolated a province. Nor did they assist at his apotheosis after his death, or pronounce funeral sermons to show that he was greater than Scipio, more virtuous than Cato, and more eloquent than Cicero. Political preachers would have done this, but Paul and Peter did no such thing.

There is nothing in the Scripture to justify the Church in applying its discipline to any member for offenses purely political, much less for his mere opinions or feelings on public affairs. The clergy are without authority, as they are often without fitness, to decide for their congregation what is right or what is wrong in the legislation of the country. They are not called or sent to propagate any kind of political doctrine. The Church and the State are entirely separate and distinct in their origin, their object, and the sphere of their action; in so much that the organism of one can never be used for any purpose of the other without injury to both.

Do I, therefore, say that the Christian religion is to have no influence on the political destiny of man? Far from it.

Notwithstanding the unfaithfulness of many professors, it has already changed the face of human society, and it will yet accomplish its mission by spreading peace, independence, truth, justice and liberty, regulated by law, "from the sea to the uttermost ends of the earth." But this will be accomplished only by reforming and elevating the individuals of whom society is composed—not by exasperating communities against each other, not by any alliance with the governments of the world, not by any vulgar partnership with politicians to kill and plunder their enemies.

Every time you reform a bad man, and bring his character up to the standard of Christian morality, you make an addition, greater or less, to that righteousness which exalteth a nation, and subtract an equal from the sin which is a reproach to any people. Sometimes a single conversion is extremely important in its immediate effect upon the public interests of a whole nation. No doubt the acceptance of the truth by Dionysius, the Areopagite, had much to do in molding the subsequent laws and customs of Athens. The conversion of Constantine was followed by instant abrogation of all laws which fettered the conscience. In the reign of Theodosius the people of Thessalonica rose against the Roman garrison and killed its commander. For this act of rebellion the emperor decreed against them the curse of an indiscriminate war, in which the guilty and the innocent were confounded together in one general slaughter. His spiritual "guide, philosopher, and friend" at the time was Ambrose, Archbishop of Milan, who boldly denounced his cruelty, refused to give him the sacrament, or even to administer it in his presence, compelled him to take his seat among the penitents on the portico of the church, and induced him to humble his diadem in the dust for eight months in succession. The conscience of the emperor was thoroughly awakened; his subsequent reign was distinguished by justice and mercy, the integrity of the empire was preserved in peace, and the great "Theodosian Code," the product of that bitter repentance, is still read and quoted for its admirable union of humanity and policy. Ambrose produced these consequences by acting in the true capacity of a Christian minister, for he reformed the criminal by a direct appeal to his own heart. A political preacher, in the same circumstances,

would have inflamed the sanguinary passions of the monarch by exaggerating the treason of the Thessalonians, and counseling the military execution of all who presumed to sympathize in their sufferings.

You will see, I think, the distinction I would make. A gospel preacher addresses the conscience of his hearers for the honest purpose of converting them from the error of their ways—a political preacher speaks to one community, one party, or one sect, and his theme is the wickedness of another. The latter effects no religious purposes whatever, but the chances are, ninety-nine in a hundred, that he excites the bad passions of those who are present, while he slanders the absent and undefended. Both classes of preachers frequently speak from the same or similar subjects, but they do so with different objects and aims.

I will make my meaning more clear by taking your own illustrations. You believe in the first day of the week as a Sabbath, and, so believing, your duty undoubtedly is to exhort all persons under your charge to observe it strictly; but you have no right to preach a crusade against the Jews and Seventh-day Baptists, to get intolerant laws enacted against them for keeping Saturday as a day of rest. If drunkenness be a sin which easily besets your congregation, you may warn them against it, and, inasmuch as abstinence is always easier than moderation, you should advise them to taste not, touch not, and handle not; but your position gives you no authority to provoke violent hostilities against tavern-keepers, liquor-dealers, or distillers. If any of your hearers be ignorant or coarse enough to desire more wives than one apiece, you should certainly teach them that polygamy is the worst feature of Asiatic manners, inconsistent with Christianity, and dangerous to domestic happiness; but you can not lawfully urge them to carry fire and sword into the territory of the Mormons merely because some of the Mormons are in this respect less holy than you. If the holding of slaves or bond-servants be a practical question among the members of your church, I know of nothing which forbids you to teach whatever you conscientiously believe to be true on that subject. But in a community where slavery is not only unknown but impossible, why should any preacher make it the

subject of his weekly vituperation? You do not improve the religion of the slave-holder by traducing his character, nor mend the spiritual condition of your own people by making them thirst for the blood of their fellow-men.

If any person, to whom the service of another is due by the laws of the State in which he lives, shall need your instructions to regulate his personal conduct toward the slave, you are bound, in the first place, to tell him that, as long as that relation exists, he should behave with the utmost humanity and kindness; for this you have the clear warrant of the apostolic example and precept. In dealing with such a person you may go as much further as your own conscientious interpretation of the Bible will carry you. If you are sure that the divine law does, under all circumstances, make the mere existence of such a relation sinful on the part of the master, you should induce him to dissolve it by the immediate emancipation of his slaves; for that is truth to you which you believe to be true. But where is the authority for preaching hatred of those who understand the Scripture differently? What privilege can you show for exciting servile insurrection? Who gave you the right to say that John Brown was better than any other thief or murderer, merely because his crimes were committed against pro-slavery men?

I think the minister, in his pulpit discourses, is forbidden to touch at all upon that class of subjects which are purely political; such, for instance, as the banking law, tariff, railroad charters, State rights, the naturalization laws, and negro suffrage. These are questions of mere political expediency; religion takes no cognizance of them; they come within the sole jurisdiction of the statesmen; and the Church has no more right to take sides upon them than the civil government has to use its legislative, judicial, or executive power for the purpose of enforcing principles wholly religious.

In short, if I am not entirely mistaken, a Christian minister has no authority to preach upon any subjects except those in which divine revelation has given him an infallible rule of faith and practice; and, even upon them, he must speak always for the edification of his own hearers, "rightly dividing the word of truth," so as to lead them in the way of all righteousness. When he does more than this he goes beyond his commission,

he becomes a scurvy politician, and his influence is altogether pernicious.

The use of the clerical office for the purpose of propagating political doctrines under any circumstances, or with any excuse, is, in my judgment, not only without authority, but it is the highest crime that can be committed against the government of God or man. Perhaps I ought not to make this broad assertion without giving some additional reasons for it.

In the first place, it is grossly dishonest. I employ you as a minister, pay your salary and build you a church, because I have confidence in your theological doctrines, but you may be at the same time wholly unfit for my political leader. Now, you are guilty of a base fraud upon me, if, instead of preaching religion, you take advantage of the position I have given you to ventilate your crude and ignorant notions on State affairs. I have asked for bread, and you give me a stone; instead of the fish I bargained for, you put into my hands a serpent that stings and poisons me.

It destroys the unity of the Church. There is no room for rational dispute about the great truths of Christianity, but men will never agree upon political subjects, for human government is at best but a compromise of selfish interests and conflicting passions. When you mix the two together you break the Church into fragments, and, instead of "one Lord, one faith, and one baptism," you create a thousand warring sects, and substitute the proverbial bitterness of the *odium theologicum* for the "charity which thinketh no evil."

No one will deny that the union of the Church and State is always the cause of bad government, perverted religion, and corrupt morals. I do not mean merely that legal union which exists in European countries. That is bad enough; but you have less common-sense than I give you credit for, if you do not see that this adulterous connection assumes its most polluting form when the Church is voluntarily prostituted by her own ministers to a political party in a popular government.

The evil influence of such connections upon Church and State is easily accounted for. Both of them in combination will do what either would recoil from if standing alone. A politician, backed by the promise of the clergy to sustain him, can safely

defy honesty and trample the law, for, do what he may, he is assured of a clerical support here and of heaven hereafter. The clergy, on the other hand, and those who are under their influence, easily acquire the habit of praising indiscriminately whatever is done by their public men. Acting and reacting on one another, they go down together in the direction of the pit that is bottomless, and both are found to have "a strange alacrity at sinking."

No man can serve two masters faithfully, for he must hate one if he loves the other. A minister who admires and follows such men as those who have lately ruled and ruined this country must necessarily despise the character of Christ. If he glorifies the cruelty, rapacity, and falsehood of his party leaders, he is compelled, by an inflexible law of human nature, to "deny the Lord who bought him."

The experience of fifteen centuries proves that political preachers are the great curse of the world. More than half the bloody wars, which, at different periods, have desolated Christendom, were produced by their direct instigation; and, wherever they have thrust themselves into a contest commenced by others, they have always envenomed the strife, and made it more cruel, savage, and uncompromising. The religious wars, so called, had nothing religious about them except that they were hissed up by the clergy. Look back and see if this be not true.

The Arian controversy (the first great schism) was followed by wars in which millions of lives were lost. Do you suppose the real quarrel was for the insertion or omission of *filioque* in that part of the creed which describes the procession of the Holy Ghost? Did a *homorousian* slaughter his brother because he was a *homoiousian*? No., it was not the difference of a diphthong, but the plunder of an empire that they fought for. It was the politics of the Church, not her religion, that infuriated the parties, and converted men into demons.

The Thirty Years' War in Germany is often supposed to have been a fair, stand-up fight between the two leading forms of Christianity. It was not so. The religious difference was the false pretense of the political preachers for the promotion of their own schemes. There was not a sane man on all the

continent who would have felt himself impelled by motives merely religious to murder his neighbor for believing in transubstantiation. If proof of this were wanting, it might be found in the fact that long before the war ended, the sectarian cries were abandoned, and Catholics, as well as Protestants, were fighting on both sides.

It is utterly impossible to believe that the clergy of England and Scotland, if they had not been politicians, would have thought of waging bloody wars to settle questions of election and reprobation, fate, foreknowledge, free-will, and other points of metaphysical theology. Nor would they, apart from their politics, have encouraged and committed the other horrid crimes of which they were guilty in the name of religion.

Can you think that the Irish were invaded, and conquered, and oppressed, and murdered, and robbed for centuries, merely because the English loved and believed in the Protestant religion? I suppose you know that those brutal atrocities were carried on for the purpose of giving to political preachers in England possession of the churches, cathedrals, glebe-lands, and tithes which belonged to the Irish Catholics. The soldier was also rewarded for confiscations and plunder. The Church and the state hunted in couples, and Ireland was the prey which they ran down together.

Coming to our country, you find Massachusetts and Connecticut, in colonial times, under the sole domination of political preachers. Their treacherous wars upon the Indians for purposes wholly mercenary; their enslaving of white persons, as well as red ones, and selling them abroad, or "swapping them for blackamoors"; their whipping, imprisoning, and killing Quakers and Baptists for their conscientious opinion; and their base treatment of such men as Roger Williams and his friends, will mark their government through all time as one of the cruelest and meanest that ever existed.

Political preachers have not behaved any better since the Revolution than before. About the commencement of the present century they were busy in their vile vocation all over New England, and continued it for many years. The willful and deliberate slanders habitually uttered from the pulpit against Jefferson, Madison, and their friends who supported them, were

a disgrace to human nature. The immediate effect of this was the Yankee plot to secede from the Union, followed by corrupt combinations with a foreign enemy to betray the liberties of the country. Its remoter consequences are seen in the shameless rapacity and bitter malignity which, even at this moment, are howling for the property and blood of an unarmed and defenseless people.

You and I both remember the political preaching which ushered in and supported the reign of the Know-Nothings, Blood-Tubs, and Plug-Uglies; when Maria Monk was a saint, and Joe Barker was mayor of Pittsburg; when pulpits resounded every Sunday with the most injurious falsehoods against Catholics; when the public mind was debauched by the inculcation of hypocrisy and deception; when ministers met their political allies in sworn secrecy to plot against the rights of their fellow-citizens. You can not forget what came of this—riot, murder, church-burning, lawless violence all over the land, and the subjugation of several great States to the political rule of a party destitute alike of principles and capacity.

I could easily prove that those clerical politicians, who have tied their churches to the tail of the Abolition party, are criminal on a grander scale than any of their predecessors. But I forbear, partly because I have not time, and partly because it may, for aught I know, be a sore subject with you. I would not excite your wrath, but rather “provoke you to good works.”

Apart from the general subject there are two or three special ideas expressed in your letter from which I venture to dissent.

You think that, though a minister may speak from the pulpit on politics, he ought not to indicate what party he belongs to. It strikes me that, if he has a party, and wants to give it ecclesiastical aid or comfort, he should boldly avow himself to be what he is, so that all men may know him. Sincerity is the first of virtues. It is bad to be a wolf, but a wolf in sheep's clothing is infinitely worse.

You represent the Church as an unfinished structure, and the state as its scaffolding. I think the Church came perfect from the hands of its divine Architect—built upon a rock, established, finished, complete—and every one who comes into

it by the right door will find a mansion prepared for him. It needs no scaffold. Its founder refused all connection with human government for scaffolding or any other purpose.

You say (in substance) that, without sometimes taking political subjects, a minister is in danger of falling into a "vague, indefinite, and non-committal style," which will do no good, and bring him no respect. The gospel is not vague, indefinite, or non-committal upon the subjects of which it takes jurisdiction, and upon them you may preach as loudly as you please. But I admit that in times of great public excitement—an important election or civil war—men listen impatiently to the teachings of faith and repentance. A sermon which tells them to do justice, love, mercy, and walk humbly before God, is not an entertainment to which they willingly invite themselves. At such a time a clergyman can vastly increase his personal consequence, and win golden opinions from his audience, by pampering their passions with a highly seasoned discourse on politics. The temptation to gratify them often becomes too strong for the virtue of the preacher. I fear that you yourself are yielding to it. As a mere layman I have no right to advise a doctor of divinity, but I hope I am not over-presumptuous when I warn you against this specious allurements of Satan. All thoughts of putting the gospel aside because it does not suit the depraved tastes of the day, and making political harangues to win popularity in a bad world, should be sternly trampled down as the suggestions of that Evil One "who was a liar and a murderer from the beginning."

Faithfully yours, etc.,

Copy.

J. S. BLACK.

WILSON, WASHINGTON AND LINCOLN.

After the adjournment of Congress, the Hon. Lucian W. Parrish stopped off in Dallas, on his way home from Washington, and while here gave an interview to the Dallas News, which reads as follows:

Lucian W. Parrish of Henrietta, member of Congress from the Thirteenth District, was in Dallas Wednesday, en route to his home in Henrietta. He left Washington just after the inauguration last Friday. "Despite all that has been said against

him, Woodrow Wilson comes out of the presidency with a record that will stand with the greatest of our Presidents, Washington and Lincoln," Mr. Parrish said, "and it will not be a great while before the nation and the world will generally realize how great has been his work and how well he filled the need in the critical days of the world war. Mr. Harding, it is generally believed, will be a political President, and, therefore, probably a popular President, which is all right in peace times, but such a President could never have met the emergencies which Woodrow Wilson has handled so well for his country."

That is a curious statement to come from a Democratic Congressman. I can understand how a Republican would say that Washington and Lincoln were the "greatest of our Presidents"; but I cannot understand how a Democrat could entertain or express that opinion. We have always believed that Washington and Lincoln were great men, but we have not believed that they were our greatest Presidents. We have always assigned the first place among our Presidents to Jefferson, and we have considered Madison, Monroe and Polk as his worthy successors. If Washington and Lincoln were our greatest Presidents, then their administrations must have been our wisest. No Democrat ever believed that, and no man who believes it has a right to call himself a Democrat; because neither Washington nor Lincoln administered this government according to Democratic principles. Washington was a Federalist, and Lincoln was a Republican.

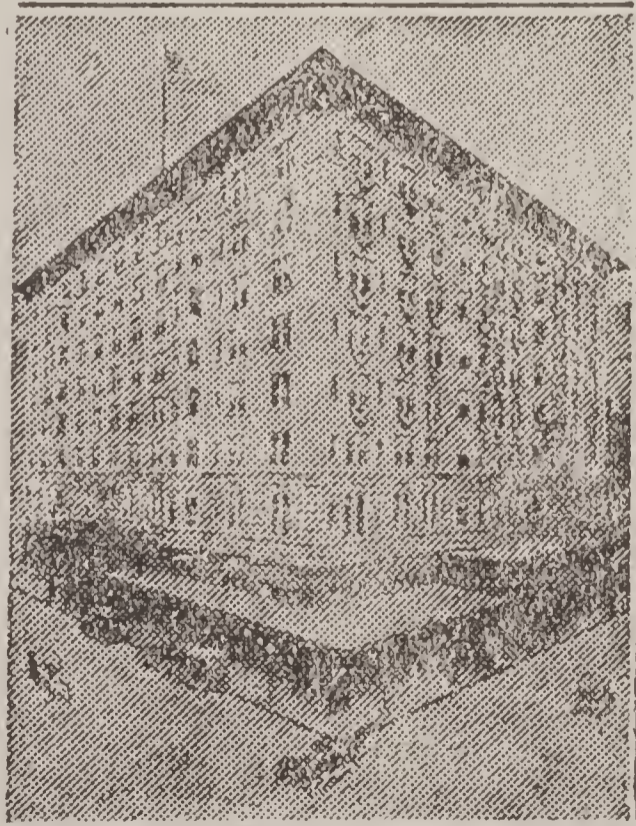
To say that "the record of Mr. Wilson stands with the records of Washington and Lincoln," admits precisely what I have contended throughout the last eight years. I have been saying that Mr. Wilson did not apply Democratic principles to the conduct of our government, and for saying that, I have been traduced by his partisans; but here comes a Democratic Congressman, who cordially supported the Wilson administration, and asserts that it will "stand with the administrations of Washington and Lincoln" in our history. That is precisely the reason that I could not support it, and that is precisely why I felt it my duty, as a Democrat, to criticise it. If it could be fairly said that the Wilson administration stands with the administrations of Jefferson, Madison, Monroe, Jackson and Polk, then I would have given it my cordial support; but, being a Democrat, I could not support an administration that will stand with the administrations of Washington, the Federalist, and Lincoln, the Republican.

THE circulation of this magazine must be brought to a point where the good that may be done will be commensurate with the work that is being done. With that end in view, the business management has arranged a plan whereby enterprising parties in any community can receive authority from this office to solicit subscriptions, and such solicitor will receive for his trouble an amount which will adequately compensate him.

We therefore call upon all friends of this magazine who favor the purpose for which it was formed, to recommend to us parties who are competent and capable to handle this matter. A letter to the address given below, with the request for information, will be given prompt attention.

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THE DEMOCRATIC REVIEW

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JOSEPH W. BAILEY

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TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgement of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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THE THIRD ARTICLE OF OUR FAITH

“We believe in the wise arrangement which reserves to each State in this Union the exclusive right to regulate, so far as any government may properly regulate, the habits and occupations of its own people; and we are opposed to all measures which will, in purpose or effect, deprive these States of that right.” (Ft. Worth Declaration of Principles, Paragraph 3.)

The principle there declared has been so long accepted as a fundamental of Democracy, that it would seem unnecessary to present any argument in support of it to Democrats, and it would be, if all the men who call themselves “Democrats” were entitled to be considered such. But in this time, when Federalists are calling themselves Democrats, and Democratic leaders are advocating the most undemocratic measures, it is useful that we should recur to the first principles. No man can know how this government ought to be administered unless he understands the principles on which it was founded; for it is as true of the machinery of a government as it is of machinery in the material world, that it cannot be successfully operated except in accordance with the principles upon which it was constructed. Every man with common sense knows that if mechanics were to construct an engine upon a certain principle, and an engineer should attempt to operate that engine according to a different principle, disaster would result; but that is not more certain than it is that disaster will come to any country whose government has been organized by statesmen on certain principles, when politicians endeavor to conduct that government on different principles.

Fortunately for the cause of liberty and justice, a limited attention to the history of our country will enable any man to trace the basic principles of our government, and it does not require

any profound learning to comprehend them. All that any private citizen needs to know about them can be stated in less than three pages by any man who has carefully studied the proceedings of the Convention which framed our Federal Constitution. That Convention was originally convoked for the purpose of revising the Articles of Confederation, and not for the purpose of writing a new Constitution; but the defects of the Government which existed then were so obviously incurable that the delegates resolved to abolish it and establish a new one. That much having been determined, the distribution of governmental powers became their most delicate task, and every member of that Convention knew that whether the people would reject or accept the result of their labors, depended upon the wisdom with which they solved that particular question. After three months of constant and earnest deliberation, a solution was found in delegating to the Federal Government the control of our foreign and interstate relations, leaving with the states the exclusive control of their internal affairs.

One of the principal objects in organizing the Federal Government was to protect us against foreign aggression, by combining the strength of all in the defense of each; and as every state would be required to perform its part in any war with a foreign nation, it was plainly wise to vest in a Government representing all of the states exclusive jurisdiction over every question which might eventuate in war. All of the states might cheerfully go to war in defense of any one state; but they could not be fairly asked to consent that one state should have the right to declare a war in which all of the states must engage. As each would be called on to furnish its quota of men and money, the right of each to a voice in deciding the question of peace or war was recognized. The wisdom of the arrangement is manifest.

Another purpose in organizing the Federal Government was to prevent strife between the states. If every state had been left to decide for itself all questions between it and another state, without an impartial tribunal to judge between them, serious consequences would be unavoidable. The boundary dispute now pending between Oklahoma and Texas illustrates that danger. Our Supreme Court, and our Court of Criminal Appeals, had both decided that the northern boundary line of Texas extends to the middle of Red River, and I think they were right; but the Supreme Court of Arkansas had decided that the northern boundary line of Texas extends only to the south bank of Red River, and the executive authorities of Oklahoma adopted the Arkansas view. Without some impartial arbiter to decide the question, Texas would not have yielded her claim, nor would Oklahoma have

yielded hers; and thus a conflict of opinion might have culminated in a conflict of arms. But with a Federal Government possessing the power to decide the question through its Supreme Court, the decision will be accepted by both states without any serious impairment of the good will which should exist between neighboring commonwealths. To have devised a method for the amicable settlement of disputes between states was an achievement of the highest value.

But conceding to the Convention all which can be claimed for its wisdom in delegating to the Federal Government the control of our foreign and interstate relations, it acted with even greater wisdom in reserving to each state the full control of its local affairs. The people of each state have an inherent right to be governed, in respect to their purely local affairs, by laws made especially for them, and made by representatives whom they have chosen and who are amenable to their will; for it is not possible that any one law can be applied to such affairs in every state without friction and injustice. A law providing for mixed schools might be entirely acceptable to the people of Kansas, but it would be very obnoxious to the people of Texas; and if both states were governed by the same law on that subject, Kansas would be compelled to establish separate schools for blacks and whites, or Texas would be compelled to admit blacks and whites into the same schools.

The Constitution, as drafted by the Convention, secured to every state the full right of self-government, but it did so by inference—an irresistible inference, but still an inference,—and the people were not satisfied with that. They demanded an explicit declaration on that precise question; and the amendments submitted by the first Congress included one distinctly declaring that all powers not delegated by the Constitution to the General Government, nor prohibited to it by the states, were reserved to the states or to the people respectively. The amendment became a part of our Democratic creed, and fidelity to it was made a Democratic test of fitness for every important public office. In that amendment, the doctrine of States Rights found its first formal and authoritative expression.

From the organization of this Republic in 1789 until 1863, twelve amendments to the Constitution were adopted, but none of them abridged the right of any state. Eleven were designed specifically to limit the power of the General Government and the twelfth merely changed the method of voting in the Electoral College for the President. For more than seventy years no proposal to transfer any right reserved by the states to the Federal

Government was ever considered, and during all that time no such proposal would have been supported by a respectable number of Democrats. Indeed, if a Democrat had then advised his countrymen to surrender the rights of these states, he would have forfeited forever the confidence of his political associates.

The attitude of the Democratic party was thoroughly exemplified in dealing with the fourteenth amendment. Not a single Democrat in the United States voted for that amendment. No Democrat in the House of Representatives or in the Senate voted in favor of submitting it; and no Democrat in any State Legislature voted to ratify it. The Democratic party, as one man, set its face like flint against it; because it limited, in some important respects, the power of these states. The same was substantially true of the fifteenth amendment; and it was left for these last ten years to develop within the Democratic party a school of politicians who disavow the wisdom of the fathers, and assert the right of other states to participate in the purely domestic affairs of Texas.

Why should Kansas have any vote in regulating the habits and occupations of the people of Texas? Our habits and our occupations can not injure the health, nor corrupt the morals, or disturb the peace of Kansas; and the people of that state should have no voice in determining matters which concern only the people of this state. Twenty years ago no man would have controverted that proposition: but we have fallen on a day when our so-called leaders in this state will not assent to any proposition until they first consider how it might affect the prohibition question. To them it seems more important to prevent the use of whisky than to preserve the sovereignty of the states; and they will unhesitatingly sacrifice the right of local self-government in order to prohibit the sale of liquor. I favored prohibition by the state when many of those who are now so clamorous for national prohibition were opposed to our local option system, and were proclaiming that it was an invasion of our personal liberty to prohibit the sale of liquor by precincts or by counties.

I believe now, and I have always believed, that no man has a right to establish and conduct a business which produces crime, disease and pauperism; and whether such a business should be regulated or prohibited, depends on the extent of the evil which it produces. If not great, it should be regulated; if great, it should be prohibited. But who shall decide that question for Texas? Shall it be decided by those who live outside of this state, and are, therefore, not affected, or shall it be decided by the people who live in the state, and are, therefore, immediately con-

cerned? To that question only one answer can be made. I shall always maintain the right of Texas to prohibit the sale of liquor in this state, if our people choose to do so; but I shall always deny the right of other states to decide that question for us. I follow the logic of my principles, and I would no more admit the right of Kansas to say that we shall prohibit the sale of liquor in Texas than I would admit the right of New York to say that we shall not prohibit the sale of liquor in Texas.

The right of each state to regulate, so far as any government may regulate, the habits and occupations of its people, rests upon the theory that every intelligent people can govern themselves in respect to such matters better than any other people can govern them. If that theory is not correct, our plan of government was conceived in error, and ought to be abandoned; but if that theory is correct, we should adhere to the doctrine of state rights, and apply it absolutely to every question which arises. It must be applied to all questions, or else, in the end, it will not be applied to any question. If some waive it on the prohibition question, others may waive it on the marriage and divorce question, or on the intra-state commerce question, or on the public road question, or on the public school question; and when it has been waived by each group which happens to favor some particular measure, it will cease to be a rule of political conduct. Men may then say truthfully—not “that it was shot to death at Appomattox” but—that it was voted to death by those who profess to believe in it.

SOCIALISM, A PRESENT DANGER

Twenty years ago I began to warn the people of this state against the growth and the menace of socialism; but they seemed to think that I was “imagining vain things,” and they passed my warning unheeded. Within the last few years, however, many of those who would not then stop to consider what I was saying, have realized that I did not overstate the danger of our situation. They have seen the socialistic movement grow, under different names and in different forms, until they now hear socialism proclaimed as democracy; and men who would have resented, almost with violence, a few years ago being called socialists, have “progressed” to the point where they will tell us that “socialism is beneficent in many respects.” Even ministers of the gospel describe themselves as Christian socialists, although socialism has always been the implacable foe of the Church. They mistake the socialist desire to meddle with everybody’s business for a desire

to help everybody. If the "progress" which those men have made in the last ten years is duplicated in the next ten years, they will become avowed socialists.

Before the people of this country go any further in their encouragement of socialism, they ought to inform themselves fully about what it has done, and is still doing, for the people of Europe. In that part of the world socialists have been disseminating their pernicious doctrines for more than fifty years, and they had made such progress that when the recent war came on them, socialism was dominating every great country of Europe. What does their experience with it teach us to expect of it? Within the last month, Mr. Lloyd George, the Prime Minister of Great Britain, delivered a speech which, the man and the question considered, should arrest the attention of every thinking man. Mr. George began his public career advocating nearly all of the "isms" which, when combined, make socialism; but he now seems to realize his mistake, and he is beseeching the men whom he has heretofore stigmatized as "selfish conservatives" to help him rescue his country. A part of his speech was reported by the papers of this country as follows:

By The Associated Press.

London, March 23.—A bitter attack on Socialism was made by Prime Minister Lloyd George in a speech at a luncheon today of "the new members of the coalition group," as the participants in the luncheon party were styled.

"The military dangers which united the parties have disappeared," said Mr. Lloyd George, "but greater, more insidious, more permanent dangers, still confront us. The great peril is the rise to power of a new party with new purposes of the most subversive character.

"It calls itself 'labor.' It is really Socialism. It is tearing the parties to pieces on its way to tearing society to pieces. Those who are inclined to agree with Mr. Asquith and Lord Bentinck that the Labor party is a bogey should read the Socialist and labor papers for a week.

"Socialism is fighting to destroy everything that the great prophets and leaders of both parties—Unionist and Liberal—have labored for generations to upbuild. Parliamentary institutions are as much menaced as private interests, and the rule of class organization is to be substituted for them.

"Those still inclined to regard the Labor party as a bogey should look at the bye-elections of 1920 and 1921. The addition of 4 per cent would put the Socialists into the majority, and there is a margin of 15 to 20 per cent who do not vote.

"Suppose that by the working up of grievances the coalition was defeated and the Socialists won a majority. They would

not seek to remove those grievances, but would endeavor to root out the whole system of society."

The Prime Minister asked those who realized the danger to close their ranks. They must take all possible steps, he said, to instruct the electors who must at no distant date decide the issue.

The governmental policies which have brought England to the critical condition thus portrayed by Lloyd George were the same, in all respects, as those which have been urged upon us with such persistence during the last few years. In that country those policies were called "liberal," while in this country they are called "progressive;" but the only difference between them is this slight one in the name, and the argument advanced in behalf of them has been precisely the same in both countries. That argument has, of course, been presented in various forms, but they are all reducible to this: That it is the duty of the Government to help those who can not help themselves. Properly limited, I concur in that argument. I believe that the Government should establish institutions for the afflicted, and make suitable provisions for those who have been disabled in its service; but I also believe that every man who is clothed in his right mind and able to work, should support himself without calling on the Government to help him, and these "progressive" statesmen will not agree to that limitation.

If the Government could give something to one man without taking anything from another man, it would be wickedly foolish to do so; because governmental bounties enfeeble the self-reliance of those who receive them, and whatever tends to sap the independence of its people must, in the end, injure any government like ours. The only men on whom a Republic can safely rely in a time of stress are the men who rely on themselves at all times. But if the Government could give without direct injury to the recipients, and without indirect injury to itself, it can not give without a gross injustice; because it cannot give to some without taking from others. No Government produces or can produce anything; and, therefore, what it gives to some it must take from others. The politicians of this day know that as well as I do, as is evidenced by the defense which they make of their extravagant appropriations. It is not uncommon to hear them defend the unnecessary expenditures of public money upon the ground that it is taken from the rich and spent with the poor. That is incipient Socialism.

Socialists are wise enough to know that it is necessary to "prepare the public mind for Socialism," and they act accordingly.

They never propose, in the beginning, that the property of A. shall be transferred to B.; but they are content to tax the property of A. and spend the proceeds for the benefit of B. Both come to the same thing, at last; but the Socialists know that some men who could not be induced to confiscate private property, will, for one reason or another, support onerous taxation, and hence they adopt that as their initial method. When Congress creates these useless offices it does not do so for the purpose of making the tax payers support the office-holders. With the average Congressman the end sought is to provide places for dependent partisans, and taxation is merely a means of paying the salaries. It is not so, however, with the Socialist; he is not particularly interested in the office-holders and he gives to impecunious politicians as a means of taking from prosperous business men.

For another and a very cogent reason, the Socialists are willing to increase the office-holders. They know that the more office holders that we have, the more the operations of the Government will be extended, and the more the operations of the Government are extended, the more individual effort will be restricted. It may seem to some people that I am crediting the Socialists with greater foresight than they possess; but it does not require any great wisdom to understand that the individual can not compete against the Government, and any man who has studied the history of the world knows that when the Government enters any field of activity it is only a question of time until the individual must withdraw from it. The Socialists understand many things which are not so plain as that; and in promoting their peculiar views, they can see around the corner, while many very intelligent business men can not see straight ahead of them.

It would astound the average man to know how successfully the Socialists have been using the "Progressives" to smooth the way for Socialism, and they have "progressed" to a point where we are now confronted by a direct proposal to use the property of some for the benefit of others. That proposition comes from an influential Republican United States Senator; and it is that the Federal Government shall provide homes for the homeless, which means nothing more nor less than that the property of men who have saved something shall be mortgaged to provide homes for men who have not saved anything. The Government will not, of course, require each owner to write out and sign a mortgage on his property; but it might as well do so, for its taxes are a lien superior to any mortgage which the owner could give.

In Texas, the home can not be subjected to a mortgage even though the wife should join the husband in executing it; and the husband can not convey the home unless the wife joins him in the deed; but the Government can sell their home over the protest of both husband and wife, in order to collect the tax which has been levied on it to build a home for some one else.

They tell us that every home-owner is a patriot, and I will not challenge that statement; provided it is not intended to imply that those who do not own their homes are not patriots. I know many honorable and patriotic men who do not own the houses in which they live, and I will never endorse any implication against their integrity or their patriotism. Indeed, I do not hesitate to say that the man who rents a house and pays for the use of it with the fruits of his own toil, is a better citizen than the man who lives in a house which other men have been taxed to buy for him. A patriot must love his country and no man can love a country which he knows to be unjust. Even the beneficiaries of a Government's injustice must be distrustful of it; because they must know that a government which will practice injustice against others for their benefit, today, will practice an injustice against them for the benefit of others, tomorrow. I sincerely wish that every American citizen could have a home of his own, but I want him to build it, or buy it, for himself; and I express infinitely more respect for the poor when I insist that they shall take care of themselves than does the man who would compel others to take care of them.

If these "progressive" policies involved no more than excessive taxation and a waste of the public money, we could measure the injury they would do us in dollars and cents, and would regard them with less aversion; but, unfortunately, they involve much more than high taxes and extravagant appropriations. They exhibit the same state of mind that has preceded the triumph of Socialism in other countries. They have already introduced dangerous departures from the settled principles of Government, and their advocates are now proposing others. Principles which our fathers taught us to cherish as the very essentials of a free Government, and which these radicals themselves once professed to believe in, are now derided, and men who adhere to them are denounced as enemies of the public welfare. Under the pretense of reforming people, these "Progressives" are revolutionizing the Government; and they will lead us through Paternalism to Socialism, exactly as their political counterparts have done the English people. Shall we sit idly down and permit them to bring

that unspeakable disaster upon our country? We can prevent it, if we will make an effort to do so.

A large majority of our people still believe in a representative democracy; in a written constitution; in the unimpaired police power of the States; in the liberty of the individual; and in the right of private property. I do not think I am mistaken in what I have just said, and I know I am not mistaken when I say an overwhelmingly majority of our people do not believe in the "progressive" vagaries. The issues and the result of the last Presidential election warrant me in saying that. The Democratic candidate everywhere proclaimed himself a "Progressive" of "Progressives," and assailed the republican candidate as a "reactionary." The declaration of Mr. Cox was iterated and reiterated by all the Democratic orators and editors; but when the votes were counted the Republican "reactionary" had received a majority of more than seven million over the "Progressive" of "Progressives." That circumstance should be enough to convince every thinking man that these "progressive policies" have been forced upon us by an active minority, which has thus far prevailed only because the majority was inactive. Will that majority remain inactive, and suffer itself to be controlled by an active minority? Certainly not, if it can be made to realize that Socialism is a pressing danger to our country.

THE COTTON SITUATION

The prosperity of the South is so inseparably interwoven with the production and price of cotton that every man in this section, whether banker, merchant, lawyer, laborer, or farmer, is personally interested in the situation which now confronts our cotton-growers. During the past year the consumption of cotton has been much less than normal, thus leaving a surplus much more than normal, and reducing the price so low as to threaten us all with bankruptcy. The consumption of cotton this year will undoubtedly be larger than it was last year; but the increase will not be sufficient to absorb the present surplus, and consequently we can not expect any great improvement in the price unless we reduce the supply by some other means. Can this be done? I think it can.

A large part of the surplus now on hand consists of a very low grade of cotton, and we should address ourselves at once to the question of eliminating it from the available supply. Most of it could have been sold last year, if a proper effort had been

made to do so; but that proper effort was not made, and it will profit us nothing now to complain at those who ought to have made it, but did not. I have tried to think out a feasible plan for taking it off the market, and the only one which can be pursued with an absolute certainty of success is to burn it. That is a drastic remedy; but it is the only one, in my judgment, which is open to us.

Two objections to my plan suggest themselves. The first is that it would be a criminal waste for us to burn cotton at a time when people of the Old World are wearing clothes made out of paper, because they can not afford to buy clothes made out of cotton; and the second is, that we can not afford the loss which the burning of four million bales of cotton would entail upon us. My answer to the first objection is, that the people who are wearing paper clothes in the Old World will not be any worse off if we burn this low grade cotton; because they are not able to buy it. My answer to the second objection is, that if we would burn that four million bales of low grade cotton, the price of cotton would immediately advance, and the value added to what remained would greatly exceed the value of what we had destroyed.

This low grade cotton could not, if forced on the market now, be sold for \$10.00 a bale, and the longer we keep it, the less it will be worth; because cotton of that grade constantly deteriorates. The destruction of it, therefore, would mean a loss of \$40,000,000; but with that four million bales removed from the market, the value of the remaining six million bales would be increased more than \$100,000,000, thus netting a clear profit of more than \$60,000,000 on the operation. Nor is that all. If those four million bales of low grade cotton are not disposed of in some way they will affect the price of next year's crop almost as injuriously as they have affected the price of this year's crop, and make a deplorable situation still more deplorable.

But how, it will be asked, can this plan be carried out, if those interested should deem it wise? That presents a difficulty, but not an insurmountable one. Much of that cotton is held by buyers; much of it is held by the farmers; and the banks are carrying it, both for the buyers and the farmers. Every buyer and every farmer could well contribute one-fourth of his holding to be burned, and the banks could well release it for that purpose; because the three-fourths left would be worth more than all of it is now. Therefore, the owners would lose nothing, and the security of the banks would be improved rather than impaired. With that done, other people could well be asked to buy some of that cotton and consign it to the fire. A few years ago our

slogan was: "Buy a Bale of Cotton." Our slogan now ought to be: "Burn a Bale of Cotton."

The bitter experience through which our people are now passing should teach them a valuable lesson, and will not be without its compensation, if they will take that lesson to their hearts. The farmers of the South can live in greater comfort and at a smaller expense than any other people in the world, if only they will make up their minds to live as much as possible on what they produce at home. By pursuing that course, they can practically insure themselves against such an over-supply of cotton as will reduce its price below the cost of production, and at the same time live much better than they are now living. Every farmer in the South should set aside an acre of ground for his garden, and cultivate that first of all others. He should next set aside two or three acres as a truck patch for his roasting ears, his potatoes, his melons, and other products which are really luxuries for the table. After the garden and truck patch should come the small field to provide for his cows, his hogs, his poultry and his work stock.

The milk and butter, the chickens and eggs, the hogs and turkeys will not only make the farmer's table all that any man could crave; but they would reduce his store account, and the surplus could be sold to pay for those few things which his farm will not raise. With all of these properly provided for, the farm then should be divided into four parts, with one part devoted to wheat, another to oats, a third to corn, and the fourth to cotton. In some counties wheat can not be grown to an advantage, and where that is true the farm would have to be divided into three parts. Under that division, he could utilize almost every day in the year, and he would be able to sell something almost every month in the year. As long as our farmers devote their land and labor exclusively to the cultivation of cotton, they will over-supply the market in good seasons; and when the bad seasons come, a poor crop will make an insufficient return for their labor, and the use of their land. Whether the seasons are good or bad, the farmer who cultivates only cotton can not use a large part of the year to the best advantage; and few men can prosper, if they work only half of their time. By cultivating several crops, a farmer insures a better price for his products, reduces the possibility of a complete failure, and makes it more nearly certain that he can utilize all of his time.

RAILROAD RATES AND WAGES

The railroads of this country have benefited it in many ways; they have helped us to build up our waste places, and to develop our resources to an extent which would have been impossible without them; they have increased the wealth of many, and added to the comfort of all. But they are not entitled to rob us because they have helped to enrich us; and their present charges are nothing less than a robbery. No man can justify either the freight rates or the passenger fares which the railroads are now exacting from the American people. Indeed, the railroad managers themselves do not attempt to justify them; they merely attempt to excuse them upon the ground that the wages they are compelled to pay their employees render such charges necessary. That excuse can not be accepted, and it will not be accepted, by intelligent men. The railroads have no right to make exorbitant charges against the public in order that they may pay unreasonable wages to their employees.

No sound minded man desires that those who work for the railroads be paid less than fair wages; but only selfish wage-earners, or demagogic politicians, believe or pretend to believe that railroad wages should remain as they were, while the price of every commodity is being reduced. When prices of all products and consequently the price of living, increased, the people were willing that wages should be correspondingly increased; but with the recession in the price of commodities, and a consequent decrease in the cost of living, they have a right to demand that wages shall be correspondingly reduced. A just relation between wages and the price of commodities is maintained in all other employments, and why not in this particular employment? Why should a man working for a railroad be paid double or treble the wages received by men engaged in other useful pursuits?

At the present prices of agricultural products, the farm laborer can not possibly earn more than \$40.00 per month, and what he buys should not be increased in cost to him in order that the railroad may pay his brother \$150.00 per month, or more. Certainly nobody will claim that the railroad laborer is more useful to his country than the farm laborer; and certainly nobody will contend that railroad labor is more irksome than farm labor, for the reverse is true. The hours of farm labor are longer, and the drudgery of it is greater. The negro porters on our passenger trains are receiving an average of more than \$180.00 per month. I made that statement in the campaign last year, and the Dallas News editorially declared that I was mistaken. I knew at the time that I was not mistaken; and a special investigation of

the question established beyond the shadow of a doubt that the Dallas News was mistaken. No man can give us any good reason why a negro train porter should receive four times as much pay as a farm laborer, and double as much pay as a white school teacher. The people of this country will not tolerate such an arrangement very long; and railroad managers, as well as railroad employees, might just as well make up their minds to that effect.

The worst enemy of organized labor could not desire to see it do a more foolish thing than insist that wages which were cheerfully advanced to meet an increased cost of living, shall stand at their high point though the cost of living has been greatly reduced. Such an insistence exhibits a selfish disregard of common fairness which must forfeit the sympathy of many who have heretofore supported the cause of organized labor; and will thoroughly convince the farmers of the country that organized labor is willing to promote its own interest at their expense. I am not counsel for the labor organizations, and they would not accept my advice if I should tender it; but, despite their prejudices against me, I refuse to entertain any prejudice against them, and I say to them in the most friendly spirit that they must share the fall of prices, just as we shared with them in the rise of prices.

Nor am I counsel for the railroads, and they would no more accept my advice than would the unions; but, nevertheless, I shall do them the friendly office of telling them that just as certain as they yield to the demand of their employees for high wages, which they can only pay by levying higher charges on the public, the good-will with which they have been regarded for several years will turn into an ill-will that will express itself, sooner or later, in repressive legislation. What else could railroad managers expect, when they know that freight rates are out of all proportion to the prices of commodities which the railroads transport? Can the people be asked to pay as much for carrying a shipment worth \$350.00 as they paid when the same shipment was worth \$1,000.00? A few simple examples will help us to better measure this gross injustice.

Two years ago a bale of cotton was worth more than \$150.00; today a bale of cotton is worth less than \$50.00; and the railroads are now charging more to haul a bale of cotton which is worth less than \$50.00 than they charged to haul a bale of cotton that was worth more than \$150.00. Two years ago a bushel of wheat was worth \$3.25; today a bushel of wheat is worth \$1.25; and the railroads are now charging more to haul a bushel

of wheat worth \$1.25 than they then charged to haul a bushel of wheat worth \$3.25. Beef steers which sold for \$180.00 two years ago are selling for less than \$80.00 today; but the railroads are now charging more to ship a car-load of steers to Chicago than they did then. Hogs are worth less than half as much today as they were two years ago; but the railroads now charge the farmer more to carry his hogs to market than they did then. This must not continue, and it will not continue.

Railroads managers must have the wisdom and the courage to reduce the wages of their employees in order that they may reduce their charges against the public. If they would announce that decision tomorrow, every man in this country, outside of the unions would approve it; and if the unions were to contest it, the railroads would have such an advantage over them in public sentiment that the result would never be doubtful for a moment. Radical union leaders might urge resistance; but if the unions proceeded to an extremity in resisting a decision so obviously just, they would suffer a crushing defeat.

The railroad managers should know that the people will not much longer accept their explanation that they must over-charge their patrons, because they must over-pay their employees. Shippers and travellers are willing to pay freights and fares sufficient to enable the railroads to pay proper wages to their employees; but if the railroads persist in charging freights and fares which are out of all reason rather than to reduce the wages of their employees, the public will hold them—not their employees—responsible for the injustice; and the resentment, which is now against the employees on account of their refusal to agree to a reduction in their wages, will be visited on the railroads themselves. That will be natural, and I am not prepared to say that it will not be a proper result of this unreasonable situation.

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TO OUR SUBSCRIBERS

We take this opportunity to correct an impression which has hitherto prevailed, that **THE DEMOCRATIC REVIEW** is issued on the first day of every month. This is a mistake. The issue day is the second Thursday in every month.

This month's issue has been delayed, owing to unforeseen circumstances. It will also be noted that the magazine is but twenty pages this month. These facts are due to contingencies which arose, owing to the strike, ordered by the Union, in printing shops. This issue contains in amount exactly the same as former issues. The difference in size is due to a difference in spacing. We hope this condition will be remedied by the time of the June issue.

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Policy Loans (within reserve)....	1,733,607.61
Liberty Bonds.....	887,050.00
Other Bonds.....	270,000.00
Cash on Deposit.....	657,238.49
All Other Assets.....	475,909.49

TOTAL..... \$10,348,509.62

LIABILITIES

Policy Reserves and all other Liabilities.....	\$9,584,510.39
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THE DEMOCRATIC REVIEW

OWNED, CONTROLLED, AND EDITED BY
JOSEPH W. BAILEY

VOL. 1

JUNE, 1921

No. 6



TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgment of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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Beware, Mr. President.

Judge Davidson.

Entered as second class matter, March 10, 1921, at the Post
Office at Dallas, Texas, under the Act of
March 3, 1879.

THE DEMOCRATIC REVIEW

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We believe that every State should have the right to prescribe the qualifications of its own voters, and we are opposed to the pending amendment of the Federal Constitution which denies to Texas the right to say who may and who may not vote for purely local offices. (Fort Worth Declaration of Principles, Paragraph IV).

SUFFRAGE A QUESTION FOR THE STATES

That paragraph presents only the question as to what authority shall prescribe the qualifications of a voter, and does not touch the question of what those qualifications shall be. The first, under our form of government, is a matter of principle; and the last, under any form of government, is a matter of policy. A State might extend the franchise to women or to unnaturalized aliens, or reduce the voting age from twenty-one to fifteen, and in doing so it might commit a grave mistake in policy; but it would not violate any principle of this government, for suffrage, though often spoken of as a right, is merely a privilege extended to those who will, it is supposed, exercise it for public welfare. Learned statesmen and publicists have expressed different opinions with respect to the true basis of suffrage; but as that is not the subject now before us, I pretermit a discussion of it.

Each State should have the right to prescribe the qualifications of its own voters, for the obvious reason that the people of each State are directly or immediately concerned in that question, while the people of other States are concerned directly and remotely, if they are concerned at all. Some of the more moderate Federalists who call themselves Democrats endeavor

to justify the Federal control of suffrage by saying that as the Senators and Representatives from each State participate in making laws which govern the people in all the States, the election of Senators and Representatives in each State is a matter of vital interest to all of the States. But that argument ignores the Federal character of this Republic. The Congressmen elected in each State represent the people of the State in which they are chosen. They legislate, it is true, upon matters of general interest; but even in such legislation they speak and vote for their particular constituents.

If Congressmen from Texas represented the people of Massachusetts, then it might be fairly claimed that the people of Massachusetts should have a voice in determining who might take part in the election of Congressmen from Texas; but as long as Congressmen from Texas are chosen to represent the people of Texas we should have the exclusive right to determine who may and who may not vote for our representatives. But even if the argument advanced by those Federalists were sound, it could not be invoked in defense of the Woman Suffrage Amendment to the Federal Constitution; because that amendment did not stop with securing to the women in each State the right to vote for Representatives and Senators in Congress. It goes much further than that, and it compels every State to allow its women to vote for our purely local officers, in which other States could not possibly have the slightest interest.

The people in Maine could not be affected by the election of a sheriff in Texas, and should, therefore, have no right to say who may or may not vote in such an election. The people of Oregon cannot be affected by the election of Judges in this State, and I would no more concede their right to prescribe the qualifications of those who may elect our Judges than I would concede their right to prescribe the qualifications of those who may be elected our Judges. Some of the more extreme Federalists attempt to justify even that extension of Federal power, by saying that citizens of Oregon might find it necessary to sue citizens of Texas, and are, therefore, interested in the election of Texas Judges. The conclusive answer to that contention is that if a citizen of Oregon has cause of action against a citizen of Texas,

he can, under the Constitution of the United States, bring his suit in the Federal Court, and thus wholly exempt himself from the jurisdiction of our State Courts.

The first seventy-five years after this Republic was organized we lived under a constitution which left each State to determine for itself who might or who might not vote in its elections, and during all that time we suffered no inconvenience, friction or injustice. Then came the Fifteenth Amendment, which abridged the right of every State to control the qualifications of its voters, and I need not recall to the intelligent readers of *The Democratic Review* the federal election-laws and other extensions of federal power which have been predicated on that amendment. Our experience with the Fifteenth Amendment should have deterred us from taking any further step in that direction; but we seem to be living in an age which scoffs at experience, and refuses to learn anything from the past. Those who look behind us for instruction are denounced as "reactionaries," and only "forward looking men" are permitted to lead us now.

I am not willing to follow a statesman who always looks behind him; but neither am I willing to follow a statesman who never looks behind him. The wise man "looks before and after," and the man who does not take counsel of the past can never be a safe counselor as to the future. The best way to judge the future is by the past; and in order to know what will happen to our country under certain conditions we must learn what has happened to our country under similar conditions. But disregarding the contrast between the first seventy-five years of our history, when the States determined, without any limitation on their power, who might and who might not vote within them, and the next fifty years, when the power of the States in that regard was limited by the Fifteenth Amendment, our "progressive" friends heedlessly proceeded to impose a second limitation on the power of these States. If we "progress" at this rate through the next fifty years, the entire control over suffrage will be transferred to the general government, and every election will be held under federal regulation.

If the women could have been enfranchised by a federal statute, we might pardon the advocates of it for experimenting

with such legislation; because if it should prove unsatisfactory to the women themselves, or to the country at large, it could be repealed by the majority of Congress. But to embody woman suffrage in the Constitution of the United States before it had been tested sufficiently in any State, and before it had been tested at all in many States, was a venture which no wise statesman could sanction; for no matter how hurtful it may become, it will be almost impossible to repeal it. As our Federal Constitution requires three-fourths of the States voting affirmatively to amend it, thirteen States, containing twenty per cent of our population, can perpetuate woman suffrage, although thirty-five States, containing eighty per cent of our population, might earnestly desire to discontinue it.

To bring this question closer home to us, let us understand that if after a fair trial of woman suffrage, an overwhelming majority of the women of Texas desire to be relieved of this new responsibility, and if all the men in Texas should join them in an effort to secure that relief, the States of Idaho, Nevada, and Utah, with a combined population of less than 500,000, could out-vote this great State, with 5,000,000 population, on a question affecting only its own people. The Texan who consented to an arrangement like that must have acted without thinking, or he must have no confidence in the capacity of his own people to govern themselves. Comparisons are odious, and I make none; but I must be permitted to say that if the people of Texas are not intelligent enough to prescribe suitable qualifications for their own electors, they are not apt to find that other States are intelligent enough to do so for them.

For more than a century the Democratic party cherished the right of each State to prescribe the qualifications of its own voters as one of its fundamental principles, and why should it not be so cherished still? Has any change in our condition occurred to render that principle inapplicable? A change in our condition has occurred, but that change calls more than ever for a rigid application of the principle; because the greater our population and the more extensive our territory, the more necessary it becomes to preserve the exclusive right of each State to deal with the local affairs of its own people. If it was wise to apply that rule when this Union consisted of only thirteen States,

with a homogeneous population of less than 4,000,000, it certainly cannot be wise to forsake it now when the Union consists of 48 States with a mixed population of more than 100,000,000. The interests, aptitudes, and habits of our people, widely dispersed as they are, must vary greatly, and the same local regulations cannot, in the nature of things, operate justly on all of them.

Many of the men who helped to submit and to ratify the Woman Suffrage Amendment are now crying aloud against the encroachment of the Federal Government on the power of these States in other respects. We have recently heard much complaint because the Inter-State Commerce Commission asserts the right to suspend or nullify a rate fixed by our State Railroad Commission on goods transported wholly within our State. The Federalists defend the exercise of that power on the ground that intra-state rates as fixed by our Railroad Commission may interfere with the inter-state rates as fixed by the Inter-State Commerce Commission; but no man has yet explained, and no man will ever be able to explain, how that could happen. The rate fixed by our State Railroad Commission on a shipment from Dallas to Abilene must be just and reasonable; the rate fixed by the Inter-State Commerce Commission on a shipment from New York to Dallas or Abilene must likewise be just and reasonable; and two rates, both of which are just and reasonable, can not interfere with each other.

But they say, that as the income of a railroad is made up of its receipts from both intra-state and inter-state traffic, if the intra-state rate is too low, the inter-state rate must be too high. That answer seems sufficient until we analyze it, and it then becomes transparently insufficient. A State Railroad Commission must fix intra-state rates which are just and reasonable; the Inter-State Commerce Commission must fix inter-state rates which are just and reasonable; and if both the intra-state rates and the inter-state rates are just and reasonable, neither can be too high because the other is too low. If a State Railroad Commission fixes intra-state rates which are less than just and reasonable, the railroads can resort to the courts and have them set aside. The appeal, however, should be made to the Courts, and not to the Inter-State Commission; for the duty of the Inter-

State Commerce Commission is wholly with inter-state rates, and when they undertake to supervise intra-state rates, they are using what, at best, can only be claimed as an incidental power to over-ride a power expressly reserved to these states.

I do not impugn the personal integrity of the Inter-State Commerce Commissioners who first promulgated the order superseding an intra-state rate, nor do I doubt the integrity of the Supreme Court Judges who sustained the validity of that order; but I do not hesitate to say that the order of the Commission and the judgment of the Court are the first step in a concerted movement to abolish the distinction between intra-state and inter-state commerce. That movement will not confine its efforts to the regulation of railroad rates, but it deliberately intends that Congress shall regulate all commerce in this country, so far as it is regulated by any law. President Roosevelt was the first to conceive that idea, or at least he was the first to express it, when he declared that our commerce was a unit, and not susceptible of a division by State lines.

Not only do these modern Federalists—some of whom masquerade as Democrats and others as Republicans—intend to bring all commerce under federal regulation, but they are further proposing to treat manufacturing as commerce, and thus bring that under federal dominion. A few days ago the House of Representatives passed a bill to control the meat-packing industry, which is not commerce under any definition heretofore proposed or accepted by any court in this country. Packing meat is not commerce any more than breeding cattle or hogs is commerce; and if the Federal Government can regulate the slaughter of cattle and hogs by a packing house, it can regulate the breeding of cattle and hogs by a farmer or ranchman. The packing industry is manufacture, and the Supreme Court has held repeatedly that manufacture is not commerce. But, notwithstanding these decisions, this bill brings the entire packing industry under federal control as commerce, and specifically provides that certain federal regulations shall prevail, “the law of any State or the decision or order of any State authority notwithstanding.” Here is a naked nullification of State laws, and many men who call themselves Democrats voted for that bill, thus evidencing their belief that the States in which packing houses were located can

not be trusted to regulate them, so far as they ought to be regulated.

Another long step toward federal control over a matter which belongs to the States is proposed in the bills recently introduced, both in the House and in the Senate, known as the "Forestry Bills." By what stretch of the imagination can it be claimed that planting trees in Texas is a question which the Federal Government should control? If you tell me the people of other States might want the lumber thus produced, I would answer that the other States should plant trees for their own people, if any government should engage in that business. This bill is again vicious in two respects: It puts the government into a business which belongs to individuals or corporations; and it puts the Federal Government into a business which belongs to the State, if it belongs to any government. I understand as well as anybody that we will need to re-forest our denuded lands; but certainly we do not need lumber any more than we need bread; and if we can rely on private enterprise to produce bread for us, we can rely on private enterprise to provide lumber for us. The argument of those men—unconsciously in some cases, but whether consciously or unconsciously—is simply this: We need a particular commodity or service, and the Government should provide it for us. That is the essence of Socialism and unless we combat it whenever and wherever it confronts us, we shall not only lose sight of all distinctions between the States and the United States, but we shall likewise lose sight of all distinctions between governmental and individual functions.

If this Republic is to be saved, we must arrest and reverse the tendencies which are gradually, but surely, destroying it; and where shall we look for men willing to perform, and capable of performing this mighty task. We cannot depend on the men who have voted away the police powers of the State to resist further aggression upon the remaining powers of the States; for no principle can be successfully defended by men who yielded to expediency, and if the sovereignty of these States is to be preserved, it must be done by men who will not compromise it. I will not trust my interest in this Government to men who invoke the doctrine of State Rights against measures which they happen to oppose, and then tell us that this same doctrine of State

Rights "was shot to death at Appomatox" when it stands in the way of some measure which they happen to favor.

I can understand how foolish men or weak men might believe in the doctrine of State Rights as fully as such men ever believe in any principle, and still be willing to waive it in order to do something out of which they expected that a good result would come; but I cannot understand how any man with sense enough to offer himself as a candidate for Congress could fall into such an error. Every man with an intellect above the average knows that it is not possible to benefit our country by violating the basic principles on which our government was founded. We might accomplish some apparent or temporary good in that way; but in the end the permanent injury of departing from a principle will be much greater than any advantage which could be derived from such a departure. If we encourage our public men to abandon a sound principle in order to promote a particular measure, we will have no right to censure them if they finally adopt the theory that our government cannot be conducted on fixed principles. Our duty to our country, to our posterity, and to ourselves is to vote only for men who believe in our republican form of government, and who will vote for no bill or amendment calculated to subvert it.

THE TARIFF

"The First White House of The Confederacy" was recently re-opened at Montgomery, Alabama, and Senator Harrison, of Mississippi, as the orator on that occasion, delivered an address in the course of which he said:

And, Oh! that some of our present-day Democrats, who, in their selfish desire to enrich a few at the expense of the many, protect one section to the detriment of another, who have joined the ranks of those who believe in a protective tariff, would read and memorize that part of the Confederate constitution that condemned in the strongest possible language a protective tariff and unanimously laid down the rule that the passage of such law was forever prohibited by the Confederate congress.

If I did not know Senator Harrison's record on the tariff question I would think that he intended, in the passage which I

have just quoted from his speech, to criticise those democrats who vote to place all raw materials and all farm products on the free list while leaving manufactured goods on the dutiable list; for, obviously, such a law benefits a few who manufacture at the expense of the many who produce raw materials and farm products. But knowing as I do, that Senator Harrison was an ardent supporter of the Tariff Bill enacted under the Administration of President Wilson, I know that his criticism was directed against those Democrats who voted in the last Congress, as well as in the present Congress, for an emergency Tariff Bill imposing a duty on certain raw materials and farm products.

Does it “enrich the few at the expense of the many” to levy a duty on raw materials and farm products? Senator Harrison and his school of politicians contend that it does; but I can demonstrate that it does not. To make this matter plain, let us deal in particulars rather than in generalities, and select some commodity to test the argument. What one commodity shall we select? As wool is always included in every free list proposed by those who advocate the doctrine of free raw material, they certainly cannot object if we use wool as our test. We must begin by recognizing that a duty on wool enhances its price, which means, of course, that a duty on wool increases the price which its producers receive for it when they sell it, and likewise increases the price which its consumers must pay for it when they buy it.

The question, therefore, of whether a duty on wool “enriches the few at the expense of the many” is a very simple one, and the answer to it depends on the number of those who consume it. If those who produce wool were few, and those who consume wool were many, Senator Harrison would be right in thinking that a duty on wool tends to “enrich the few at the expense of the many,” but as the farmers and ranchmen who produce wool in this country number of 2,000,000, while the manufacturers who consume it number less than 2,000 a duty on wool can not possibly “enrich the few at the expense of the many.”

Senator Harrison thinks that everybody who wears woolen clothes is a consumer of wool; but that is not the truth—either literal or economic. The people who manufacture wool into cloth are the actual consumers of woolen cloth. If Senator Har-

rison had said that a duty on woolen goods enriches the few at the expense of the many, he would have spoken the truth; but when he asserts that a duty on wool enriches the few at the expense of the many, he speaks exactly opposite of the truth, and nobody understands that better than the woolen manufacturers of this country. Every time it is proposed to reduce the duty on woolen goods the manufacturers endeavor to compensate themselves for the reduction in the selling price of their products by demanding free wool, so as to reduce their manufacturing cost, and thus leave their profits undiminished.

The manufacturer can be protected in two ways. One way is to levy a duty on his finished product, thus increasing the price at which he can sell it; and the other way is to place his raw material on the free list, thus reducing the cost at which he can produce his goods. In his famous report on manufactures, Alexander Hamilton specified both the imposition of duties on the finished product, and the importation of raw materials free of duty, as means by which manufacturing might be encouraged. By levying a duty on the finished product we protect the manufacturer at the selling end of the transaction; by permitting the manufacturer to import his raw material free of duty, we protect him at the producing end of the transaction; and a profit is assured to the manufacturer in one case as well as in the other.

Let us pursue this inquiry a little further; because the further we inquire into this question, the more apparent it will become that the Senator from Mississippi was talking arrant nonsense. The Tariff Bill passed under the Wilson Administration placed wool on the free list and in doing so it saved the woolen manufacturers of this country, who number less than 2,000, a vast sum of money, which was taken in part from the Government, and in greater part from the wool-producers of our country. I have not examined the statistics of wool importation for several years, but I distinctly recall that in one year the Government collected more than \$21,000,000 in duties on wool, and only two-fifths of the total consumption was imported, leaving three-fifths to be supplied by our domestic producers. If, then, a duty on wool increases its price to the extent of the duty, free wool would have saved to our woolen goods manufacturers, in that single year, the stupendous sum of \$54,000,000.

To verify the foregoing statement is a simple matter of calculation. First, they would have saved the \$21,000,000 which they paid to the Government as duties on the wool which they imported; and, second, they would have saved \$33,000,000 on their purchases of domestic wool, for if the duty on two-fifths was \$21,000,000, then the increased price in consequence of the tariff duty on the other three-fifths was \$33,000,000, or a total of \$54,000,000, and that \$54,000,000 would have provided a return of more than nine per cent on every dollar invested in the woolen manufacturing business of this country. With this undisputed and indisputable fact before him, how can a Senator in Congress assert that the man who votes for a duty on wool is actuated by a "selfish desire to enrich the few at the expense of the many?" Indeed, how can any Senator escape the conclusion that the man who votes for free wool is really the man who is voting to "enrich the few at the expense of the many?"

Neither Senator Horrison nor any other living man can justify free wool and taxed woolen clothes; but by following his logic against "enriching the few at the expense of the many," I could easily justify taxed wool and free woolen clothes. The consumers of wool number less than 2,000, while the consumers of woolen cloth number more than 100,000,000; and yet Senator Harrison and all of those who entertain the same tariff view as he does, seem to think that it is entirely proper to tax the clothes which one hundred million men, women, and children must buy in order to be decent and comfortable, but that it is a dishonest protection to levy a tariff on the wool which 2,000 manufacturers buy for the sake of the profit which they can make out of it by manufacturing it into woolen cloth.

Why should the 2,000 opulent manufacturers of woolen goods be permitted to import their wool without paying any duty on it, while if the toiling millions import woolen clothes, they are compelled to pay an average duty of more than 45 per cent on them? What is the difference in the nature of wool and woolen clothes which justifies this difference in the taxation of them? Let me state it a little more concretely. If a manufacturer ships a cargo of woolen goods to any part of the world and exchanges them for wool, he can bring that wool back into this country without paying a penny duty on it; but if one thou-

sand wool growers should jointly ship a cargo of wool to any part of the world and exchange it for woolen clothes, they would be compelled to pay a duty of 45 per cent before they could bring their woolen clothes into this country for their own family use. Who can justify that?

A genuine Democrat would not vote for a tax on wool for the purpose of compelling the manufacturers to pay the producer more for the wool which they buy any more than he would vote for a duty on woolen clothes for the purpose of compelling the American people to pay more for the clothes which they must buy. A real Democrat would vote for no duty except for the purpose of raising revenue to support the Government, he would resolutely insist that every manufacturer shall be compelled to pay his part as long as the American people are compelled to pay their part. I would rejoice if the expenses of this Government could be reduced to a point where we could take the tax off of both raw wool and woolen clothes; but I will never agree to take the tax off of the wool which our manufacturers buy so long as a duty is left on the woolen clothes which our manufacturers sell.

Senator Harrison should read the celebrated report of Robert J. Walker before he makes another reference to the tariff question. That report expresses the true creed of the Democratic party, and it should be of particular interest to Senator Harrison, as its author was once a Senator in Congress from the State of Mississippi, and, without disparaging the other great men who have represented that State, I can say that, with the single exception of Mr. Davis, it was never represented in the Senate by an abler man than Mr. Walker. That report specifically assailed the Whig Tariff Act of 1842 because it levied a higher duty on the manufacturer's finished product than it did on the raw material out of which it was made. No such discrimination appeared in the Democratic Tariff Act of 1846, which was based on the Walker report, and which has always been regarded, until recently, as a model for democratic tariff legislation.

The Tariff is again an important issue in our politics, and we must deal with it in a spirit of absolute candor. Politicians may be anxious to shuffle, but the people will not permit it. The Republican party will, of course, declare for a protective tariff,

which will profess to extend its protection equally to all sections, classes and industries. The rank and file of the Republican party believe that a republican tariff law makes no discrimination as between the producers of this country; but republican leaders know better; they know that under the disguise of compensatory duties the manufacturers enjoy a very much higher protection than any other class of our people. I am not, however, so much concerned about the subterfuges of the Republican party as I am about the attitude of the Democratic party. If the disciples of President Wilson are able to commit us to a tariff policy which taxes manufactured goods and places on the free list all farm products and raw materials, the Democratic party will be destroyed; for this country will not tolerate an injustice which is so palpable and so gross.

BEWARE, MR. PRESIDENT

More than three million Democrats voted the Republican Presidential ticket at the last election. Many of those men could never be Republicans; and they voted as they did in protest against the betrayal of the Democratic party. They made no attempt to conceal their attitude, and they will never regret having refused to vote for Mr. Cox, even if they should come to regret having voted for Mr. Harding. It is possible that the Republican candidate would have been elected without those Democratic votes; but that is not certain by any means, and they had a right to expect that the President would keep at their face value the pledges made by him and his party. In this they are to be disappointed. None of those pledges will be kept at their face value and some of them will not be kept at all.

The pledge to restore a constitutional government in this country is already in the congressional waste-basket; for the House and the Senate have passed bills which violate the Constitution of the United States just as plainly as the Child Labor Bill, or the Oleomargarine Bill, and many others of the same kind. Those bills were framed with the deliberate purpose of preventing the courts from passing judgment on them according to their real purpose, and thus cheat the Constitution. We

have, however, become so accustomed to such legislation that the country at large will not stop to quarrel about it, though the Democrats who voted for Mr. Harding will be sorely disappointed by it.

The pledge of governmental economy has been forgotten, and no pretense of a desire to redeem it is now made. Indeed, it seems practically certain that the appropriations for the next fiscal year will exceed those for the last fiscal year, and the hope of a reduction in our taxes has disappeared from the predictions of the Republican leaders. This, again, will disappoint President Harding's democratic supporters, as it will many Republicans; but the waste of public money has so long been the order of the day that no revolt on that account is probable. The politicians will continue to talk economy and practice extravagance until some fine day the American people will make short shift of such; but that day is not here, and probably not near us at this time.

Mr. Harding's Administration, however, is facing a grave danger in the business condition of the country, and unless he does something, without delay, to improve that condition, he will suffer in his popularity to such an extent that his party may lose the next congressional elections. Republicans have taught the people of this country to believe that our business prosperity is largely influenced by the political character of our Federal Administration, and they need not be surprised if their teaching now comes back to plague them. I know, of course, that the prosperity of this country depends upon the industry and frugality of the people, combined with seasons which bring us abundant crops, very much more than it does upon any political party; but I also know that the party now in power can greatly relieve the distress of the situation.

If the Federal Reserve Board would take its hands off of the banks of this country and allow them to accommodate their customers who are entitled to accommodations, the financial pressure would be measurably relieved, the business would revive, not fully, but to a reasonable degree. If, however, the Federal Reserve Board persists in the course which it has pursued for months, the situation will grow worse—because any bad situation always grows worse the longer it continues—and we may

soon find our country involved in the most appalling financial disaster. It cannot be otherwise; for if men can not obtain loans, then they cannot make purchases or pay their debts, unless they sell their property; and it is almost impossible to sell property when the money market is such that nobody can borrow the money with which to buy it.

If men who have property can neither sell it nor borrow money on it, a business stagnation is inevitable; and that spells bankruptcy to thousands of enterprising men. Many would be bankrupt now except for the very sensible indulgence of our local banks. They have not pressed their debtors, and they will not do so unless a withdrawal of their deposits compels them to make collections; and if that should happen we will find ourselves in the midst of a disastrous panic. The local banks are sincerely anxious to help; but they can do very little unless the Regional banks will re-discount their paper, and the Regional banks can do very little unless the Federal Reserve Board will relax their restrictions for enough to ease the money market, and rescue the country from an impending calamity.

Under the wisest management, this year could not have been other than a hard one; because debts had been contracted in the production or in the purchase of high priced commodities, and the sharp fall in prices entailed losses which could not be liquidated in a single year. The cotton crop illustrates that condition as it applies to the South. Our last crop was made on a cost basis of not less than twenty-five cents per pound, with the expectation of a selling price of not less than thirty, or even thirty-five cents a pound. Expenses were incurred accordingly; but when the crop was ready for the market the price had fallen to fifteen cents, and before the entire crop was sold the price had fallen to ten cents, per pound. The result, of course, was that the cotton growers of the South were unable to pay the debts which they had contracted in producing last year's crop, and were compelled to carry over a part of them.

Like honest men, these southern farmers are striving to pay their debts, and in order to do so they are spending less this year than they have spent in any year for more than a decade. That is, of course, entirely to their credit; but, at the same time, it has necessarily curtailed the business of our merchants. Our

farmers have economized so rigidly that few of our merchants expect to make any profits during this year, and they will be entirely satisfied if they are able to meet the expenses of this year's business out of this year's sales, and collect what they carried over from last year.

The condition in the South, as I have above described it, is duplicated in every other section; because the products of each particular section have fallen in price—many of them not quite so much as cotton, but all of them to an extent sufficient to produce a serious financial predicament. The farmers of this country constitute almost one-half of our consumers, and when they reduce their purchases to the lowest possible point, the effect of it must be felt in every factory and storehouse. Even if we should agree that this curtailed purchasing power of the farmer is unavoidable, we must not be asked to agree that it should be aggravated by the unnecessary denial of accommodations at the banks; and there lies the danger to this republican Administration.

JUDGE DAVIDSON

The brief address which, at the request of the family, Chief Justice Phillips delivered at the grave of the late Judge Davidson is so excellent in thought and diction that it should be read by every Texan who loves his State, and knows the manner of men who have made it great. Chief Justice Phillips spoke as follows:

We are about to lay away, to sleep in the bosom of the all-encompassing earth, the mortal part of one of the most illustrious figures in all the life of the State. But that is only in a measure the meaning of this sorrowful and solemn scene. Its other, and I will say, its large meaning is that we are about to take our leave of one of the noblest, kindest men of this time, or of any time.

It is hard for you, it is hard for me, to say farewell to him.

Only yesterday, it seems, he walked among us, the great judge, the faithful and spotless citizen, with all the splendid, inspiring presence of his erect and sturdy form, his frank and fearless eye, and his unbowed silvered crest; and now, he lies here before us, lifeless and still, amid the sad and quiet pageantry of death.

I am here to speak of him as I am told he wished that I should; and in only the simplest way, and because I know if

there had been a different ordering of Providence he would have performed similar office for me, though it is difficult for anyone who held him in the affection I did, and as you did, to speak at all.

Panegyric Baffled.

In the hush and awe of this last hour, there need be no eulogy of him other than lies in the simplicity and purity of our love for him. One of the wonderful things about men like him is that they baffle all panegyric. Their lives, alone, speak unflinchingly of them and for them. Only poorly and faintly may the words of common speech express them or describe them.

There lies prostrate here not only the eminent jurist and the upright man. In the death of Judge Davidson there has in a certain measure fallen one of the institutions of Texas. He had truly become and was one of the pillars of the State representing and emblemizing that indefinable force and element which the career and service of a great man gives to the life of a commonwealth—expressing its character and vital part, revealing and speaking its mighty spirit, looked to and loved by the people as fundamentally a security and a dependence, and symbolizing certain features of the very State itself.

Embodied Texas Spirit

Austin, Houston, Rusk, Hemphill, Roberts, Hurt, Slayton, Gaines and Brown, and the men of their private and public service, were not only distinguished lives in the history of Texas. Because they bespoke certain things in the State they became and were a part of the State. I love to think they are still a part of it. The spirit of Texas shone through them and diffused itself for the good of the people and for the preservation to them of certain things, certain ideas and principles, associated with the very power of the State. Judge Davidson was of their company and because he was, there had come to be embodied in his character and in his life, with a kind of permanence, a certain elemental part of the commonwealth.

The source of that achievement—I will not say the secret of it, was simply the rugged honesty, the rugged power, the intrepid, unfaltering courage of the man. He never altered his honest thought. He never shamed his matured conviction. He demanded of himself only that he be “shielded and helmeted and weaponed with the truth.” Thus armed, he wore, always, his independence like a “fluttering plume.”

A great character, like the oak thrives only in the open air of freedom. It spreads its roots deep and wide, and grows and towers in stately strength, only while the free winds play among its branches and the unhindered sunshine settles upon its head. And the oak let us always remember, is an oak simply because it was the seed of an oak that was planted. It is the wise ordering of God that character and character alone, shall be the seed and root of all true greatness and all true achievement.

Service to State Long

For thirty years—nearly a third of a century—he stood clear, and just in his office, passing on the lives and liberties

of his fellowmen. In him and through him breathed and lived the spirit of the race of great judges. There, he emblemized the majesty of the law, its power, its strength, its dignity and not alone that, but its justice and the unbending integrity of its written word, the unbending integrity of a legal trial. To him "no one was so high as to be beyond the power of the law; none so low as to be beneath its care." If he had any failings there, we may say it proudly of him and before all the world, that they all leaned to virtue's, to mercy's side.

There is a fine saying somewhere which he exemplified and lived up to as perfectly as any man I have ever known—that the character of a wise man consists of just three things; To do himself what he tells others to do; to act on no occasion contrary to justice; and to bear gently with the weaknesses of those around him. ,

Boyhood Knew Sacrifice

He loved the State with the patriot's unselfish, disinterested devotion. He loved her proud traditions, her inspiring legends. He was born the year she became a State, and his life thereafter spanned every year of her life. There lived in him the stalwartness and robustness of the brave and hardy who rescued her from Mexican tyranny and set her upon her proud career—the men who tragically died at the Alamo and Goliad, and gloriously won the victory at San Jacinto—those heroic men of Plutarch "with empire in their brain." His boyhood knew something of their sacrifice and endurance, the hard condition of the pioneer home, the grim contest with the wilderness, the dangers and perils of life on the frontiers of civilization. Possibly the proudest memory of his life was his heroic pioneer father, the devout man of God, to have kept whose faith he counted the best thing of his manhood.

Loving the State, he loved her rights and valued her sovereignty. Hence, he was naturally a Confederate soldier. It was the distinction of his youth to have stood beneath the sainted flag of the Starry Cross, and to have followed its streaming folds upon the fiery edge of battle—to have been one of "that long, thin gray line" that blithely charged into the jaws of death by the gleam of the sword of Robert E. Lee—that race of men who gave to these Southern States for all time, if we their children will but love it, a fadeless, imperishable glory.

Family Was Chief Concern

He had, please God, the traditional Southern conception of the family tie and relation, of the roof-tree, the home—the virtuous and the only sure and dependable basis of society. In the tender husband, the loving father, his superiority was best manifested and expressed. With all the pressing interests of his busy, tireless life, his family was always his paramount concern. Before that sacred altar, for fifty years he paid the devout homage of his chivalric heart; and there, in turn, he was rarely blessed with the love and devotion of a noble wife and splendid children.

He knew God and was known of God, for above all things he was a Godly man. He had found him as the prophet Elijah found him, not in the earthquake, or the fire, or in the mighty wind, but in the still, small voice that speaks to the reason and conscience, and that lifts men up and not alone to God's thought, but to Godly action. His faith was not the faith of creeds and doctrines. It was the faith, I have many times thought, of the Galilean fisherman, a faith that might have been inspired by the presence of the Savior, faith in his mercy and goodness, the faith against which Ephesus, Corinth, Alexandria, Athens, Rome and all the pagan world could not prevail, and before which the kingdoms and empires of the earth must humbly bow.

Was Poor Man's Friend

He was the poor man's friend, the humble man's associate, and the little children loved him. He wronged no man. He coveted no man's riches. He envied no man's success. He walked through all his years, without guile, the broad and open highway of a noble and generous and useful life, and the world is richer and happier and better for his having lived in it.

We may reverently and devoutly thank God for such a man.

One life like his was worth more than all the speculations of the philosophers over the mysteries of life and death, more than all the learned dogmas and mysticism of scientific treatises. It is an interpretation for all of us of the uses of life, and a revelation of the triumph of a clean and noble spirit over the common doom of death.

One of the greatest facts of the Bible is that the first death was of a righteous man—not Adam the sinful man, nor of Cain, with human blood upon his hands, but of Abel, the innocent and the righteous.

Death can have no terrors for the righteous. It had none for Judge Davidson. When the breath of the eternal morning touched his brow and for him the final summons came, he went to his maker tranquil and unafraid, to stand before him face to face with the same brave, calm consciousness with which he faced and performed here his every duty. In that region of the blessed, with his sainted father and mother, and welcomed by those rare spirits who were his companions on earth, we know that his noble soul has reached its home and is at peace.

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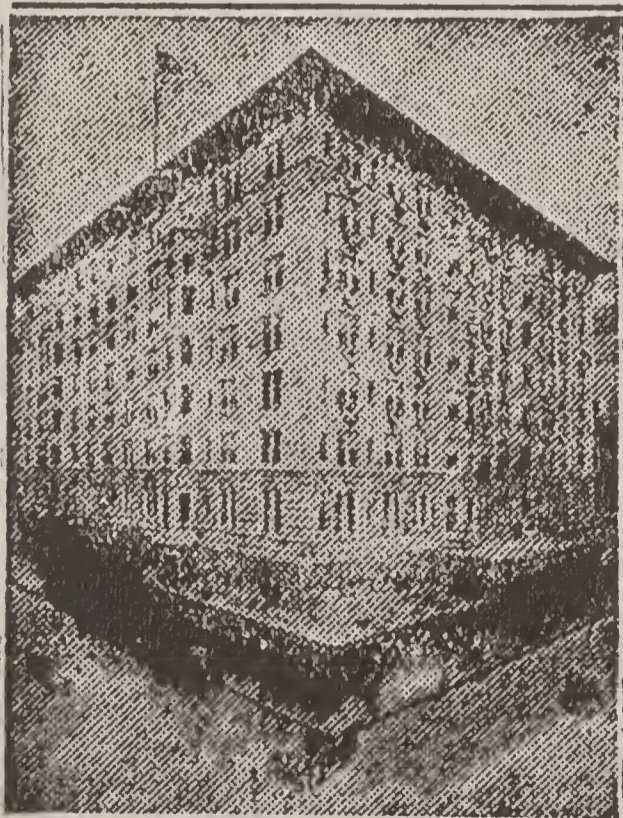
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The circulation of this magazine must be brought to a point where the good that may be done will be commensurate with the work that is being done. This is being accomplished, with the aid of our friends, and we wish to take this means of thanking them for their assistance. However, we hope that this good work can be continued and a much larger circulation attained. All subscriptions should be sent to the address given below, and will receive prompt attention at our hands.

The Democratic Review

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First Mortgage Loans.....	\$5,929,277.39
Real Estate	395,426.64
Policy Loans (within reserve)....	1,732,607.61
Liberty Bonds.....	887,050.00
Other Bonds.....	270,000.00
Cash on Deposit.....	657,238.49
All Other Assets.....	475,909.49

TOTAL..... \$10,348,509.62

LIABILITIES

Policy Reserves and all other Liabilities.....	\$9,584,510.39
Surplus to Policyholders includ- ing Capital Stock, \$600,000,- 00.....	763,999.23

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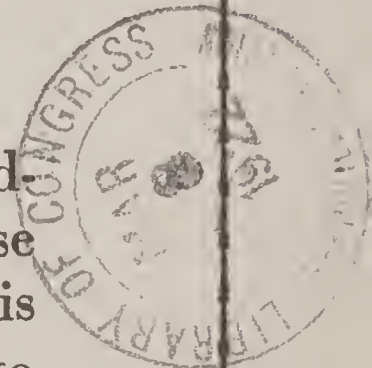
VOL. 1

JULY, 1921

No. 7



TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgment of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupillage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.



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Individual Liberty.

A Criticism Answered.

Oil Politics in Texas.

A Speech.

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THE DEMOCRATIC REVIEW

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INDIVIDUAL LIBERTY

We denounce the growing tendency to regulate everything by law, and we demand that every American citizen shall be left as free to do for himself, and with his own, as is consistent with the peace and good order of society. (Paragraph 5 of the Fort Worth Declaration of Principles).

I have recently read a letter written by a prominent clergyman of this State in which he severely criticised the above paragraph and declared that "the Fort Worth Mass Meeting was very solicitous about the rights of the individual, but seemed to feel no interest whatever in the rights of society." The sufficient answer to that criticism is that in drafting this particular paragraph the Fort Worth Mass Meeting had in mind the rights of society as well as the rights of the individual, and safeguarded the one as completely as it did the other. The proposition there laid down is that "every citizen shall be left as free to do for himself and with his own as is consistent with the peace and good order of society;" and the corollary from that proposition plainly is that no citizen has a right to do for himself or with his own anything which is inconsistent with the peace and good order of society.

Without thinking over the matter, some excellent men may wonder why the Fort Worth Mass Meeting asserted the rights of the individual as its proposition, and left the rights of society to a corollary; but those who think over it will perceive that our condition rendered that form of expression a proper one. If the present tendency had been to unduly diminish the rights of society by unduly enlarging the rights of the individual, we would

have made the rights of society our proposition, leaving the rights of the individual to the corollary. But believing, as it did, that the rights of society are already secure and that the rights of the individual are in the most serious jeopardy, the Fort Worth Mass Meeting could not have distinctly presented the issue which it sought to have decided by the people of Texas by stating it in any other form. This is the simple explanation, and it will satisfy every reasonable mind.

That it is the right of every American citizen to do for himself and with his own whatever he pleases so long as he does not disturb the peace and good order of society was once accepted as a governmental maxim in this country, and no man, whether Federalist, Democrat, Whig, or Republican, disputed the soundness of it. Even now, if stated in the abstract, it would be disputed by extreme paternalists; but while professing to believe in it as a theory, a very large majority of our law-makers have utterly abandoned it in practice, and are rapidly bringing us to a time when no American citizen will be permitted to do anything for himself or with his own except according to the direction of some statute. With the will of the Government thus substituted for the will of the citizen in his personal affairs, the inevitable result must be to destroy that spirit of self-reliance which our people must have or they can not perpetuate our free institutions.

In order that we may judge wisely on a question of this kind, we must recur to first principles and understand that a free government is established for the purpose of protecting—not for the purpose of destroying—the natural rights of men. It is necessary, of course, under any form of government, that men shall surrender some of their natural rights in order to insure the protection of those which they retain; but it is not necessary, under our form of government, for any man to surrender any natural right which he can exercise without disturbing the peace and good order of society. That is the supreme test; for no man who loves liberty can desire to abridge it further than that, and every man who believes in an orderly government is willing to have his liberty abridged to that extent. That is our creed; or, at least, it was our creed until within the last few years, and it must

again become our creed, if the Democratic party is to fulfill the great mission to which its immortal founders dedicated it.

Some superficial thinkers reject our theory that a free government is established for the purpose of protecting the rights of all who are subject to its jurisdiction, and maintain that the true purpose of every government is to prevent men from doing wrong; but manifestly they confuse the means with the end. To protect the rights of one man the law must forbid the invasion of his rights by other men; but forbidding the wrong is merely a method of protecting the right. This distinction is important, and should never be ignored. The personal conduct of men should be regulated only so far as it may affect the rights of other men; and no act can properly be forbidden unless it transgresses a right. The rights of society can be fully protected under a strict adherence to this rule, and we can not depart from it without subverting this Republic.

A wrongful act which injures only the wrong-doer is not properly within the control of any government, except such as may constitute itself a guardian for its people. A free government has no right to say that John Doe shall not tear down his own house; but a free government has a right to say, and it is in duty bound to say, that John Doe shall not tear down the house of Richard Roe. Indeed, a free government has the right to say, and should say, that John Doe shall not tear down his own house, if there is a mortgage or other lien upon it; because a mortgagee or a lien-holder has a right to subject that house to the payment of his debt. The illustration can be carried further. John Doe may have a right to tear down his own house, and still have no right to burn up that same house, if it is so situated that the fire would endanger the house of another man. A man has a right to be foolish, provided others are not made to suffer through his folly.

If we would keep clearly before our minds the great purpose for which our government was established, we would be more resolute in confining it to the exercise of its proper powers, and more certain to resist the improper extension of its powers; but the average citizen in this day does not seriously concern himself about such matters. The people of this Republic feel so secure in their liberty that they have ceased to fear the loss of it, and

impairments of it which would have once aroused this country like an alarm at night now pass without even a protest. In this state of mind, lies our gravest danger, unless all the lessons of history are at fault. Ours is not the world's first free government. Other people have, for a time, been as free as we were in the beginning, but gradually their liberty was undermined precisely as our liberty is being undermined today; and we are indifferent, just as they were, to the warnings of the watchmen on our towers.

In every age and in every land governments have constantly endeavored to increase their power over the people, and one of the curious facts of history is that this effort has been most successful in free countries. While the subjects of Kings, Emperors, and Czars have struggled to emancipate themselves from the absolute domination of their masters, the people of free states have often acquiesced in the extension of governmental power over them, with the most melancholy results. It was their knowledge of this historical fact which moved our patriotic forefathers to admonish us, in season and out of season, that "a country which is governed least is governed best." Profoundly impressed with the truth of that admonition, our statesmen in the early days of this Republic repeated it on every suitable occasion; but this generation heeds it not. We continue to enact new laws, while neglecting to enforce the old ones.

Not only have our people relaxed their vigilance against the abridgment of their liberty; but their conception of liberty has undergone a most disquieting change. In that other time, when a patriot rejoiced in the thought that ours is a free country, he had in mind the right of every man to regulate his own life and conduct in his own way, so far as he did not trespass on the right of other men to do the same; but in this day when men boast that ours is a free country, they have in mind its power to determine all questions for itself, without the aid or the consent of other countries. Our fathers cherished, even more than they did their lives, the right of our country to govern its own people without interference or suggestion from foreign nations; but they called that, "independence," and the right of every man to pursue his own happiness in his own way they called, "liberty."

Independence belongs to a country; liberty belongs to the individual; they are not always inseparable; and either may exist

without the other. A country may be independent, and yet its people may not be free; or a country may not be independent, and yet its people may be free. Russia was an independent country when the Czar was on his throne, and it is still an independent country amidst the misfortunes and the distractions of a Soviet Government; but its people have not been free under either. Canada is not an independent country; but its people are free, and are subject to less restriction than we are vexed with in this time. Many other examples, in ancient as well as in modern times, could be cited; but it would be a waste of time to do so, because every intelligent man will recognize the difference between liberty and independence when it is called to his attention.

If I were called upon to explain this remarkable change in the thought and speech of our people, in this State, at least, I would be compelled to ascribe it in large part to the introduction of the prohibition question into our politics. The responsibility for that mistake does not lie wholly with either side, although I think it may be fairly said that it does lie entirely with the politicians of both sides. In the northern and central parts of the State, where the prohibitionists were in a pronounced majority, ambitious prohibitionists sought to create a prejudice against anti-prohibitionists as a means of enhancing their own chance of election to office; and in the southern part of the State, where the anti-prohibitionists were in a pronounced majority, ambitious anti-prohibitionists sought to create a prejudice against prohibitionists in order to enhance their own chance of election to office. The question having been made a political one in that way, the arguments on each side unavoidably produced an evil effect on the public mind.

The anti-prohibitionists assailed prohibition as an invasion of personal liberty; and the prohibitionists, instead of denying that to be a fact, practically admitted it, and endeavored to answer it by minimizing the value of personal liberty. I have seen prohibition orators deliberately, with tone and gesture as well as by their words, strive to bring personal liberty into disrepute with their audiences; and as the debate between the two factions continued, that outrageous habit was accentuated. I

must not, of course, be understood as meaning that all prohibition speakers indulged in such speeches; for I cheerfully bear witness that the most intelligent of them did not. I endeavored most earnestly to persuade my friends from speaking after that manner, and tried to show them that they had a much better answer to the argument of their opponents.

I could never agree with the anti-prohibitionists in thinking that prohibition invades the personal liberty of any citizen; because I do not think that any man has a right, either natural or political, to conduct a business which produces crime, disease, or pauperism, and I can not, therefore, think that in denying the right to manufacture and sell liquor, I was depriving any man of his liberty. The most ardent in their love of liberty should always understand the difference between liberty and license, and none will ever find it necessary to discredit the one in order to consistently oppose the other. The average politician, however, does not care anything about the soundness of his arguments or about their ultimate effect, if he thinks they will produce the immediate results at which he aims; and they practiced their art of moulding sentiment so successfully that a majority of the prohibitionists came to resent every tribute to human liberty as a defense of the liquor traffic.

Instead of fairly meeting the issue which we have raised, some of our unscrupulous opponents attempt to evade it by charging that the real purpose behind Paragraph 5 in the Fort Worth Declaration of Principles is to repeal some of our corporation laws and to emasculate others. That subterfuge can hardly deceive any intelligent man; because our demand is made in behalf of American citizens—men of flesh and blood—and not in behalf of corporations, which are mere creatures of the law, having no natural rights. Our complaint is against legislative interference with the personal habits, personal tastes, and the legitimate business of individuals. Our adversaries seem to think that every man should be compelled to live as the majority thinks he ought to live; but we hold that it is the inalienable right of every man to live as he desires to live, so long as he does not interfere with the rights of other men, and our firm purpose is to restore that right to the people of this great State.

A CRITICISM ANSWERED.

“June 7th, 1921.

“Hon. Joseph W. Bailey,
Dallas, Texas.
Dear Senator:

As one approving condemnation by you and others of sabotage and curtailment of production in labor ranks, it is a shock to note in your June magazine advocacy of the destruction of cotton in your program for all to ‘burn a bale.’

Will you please explain in next issue the difference between less cotton being worth more and possibly the similar view of labor of less work bringing more?

Sincerely,

F. G. Swanson.”

The above letter was received at the office of The Democratic Review in my absence, and I did not return until it was too late to answer it in the last issue. The writer is a reputable gentleman, and what he says in criticism of my plan to relieve the cotton market is worthy of respectful consideration. Besides, I have no doubt that the same opinion which he has expressed is entertained by other readers of this magazine, and I hope to satisfy them as well as Mr. Swanson. I will preface what I have to say in that regard, however, with the statement that while I did not doubt when I wrote the other editorial, and I do not now doubt, that the plan I suggested is the only feasible method of reducing the cotton surplus so as to restore a fair price during the present year, I did not then hope, and I do not now hope, that it will be adopted; because it requires the co-operation of so many as to deter men from undertaking the execution of it.

Mr. Swanson seems to think that my attitude on the union labor question is inconsistent with my plan for disposing of the surplus cotton, and others may agree with him; but I am unable to perceive that inconsistency. I have never denied that men who belong to the Unions have a right to dispose of their own services as they please, individually or collectively; and my opposition has always been directed against their denial of that right to other men. I believe that union men have a right to withdraw from any employment with which they are dissatisfied on account of wages or working conditions; but I do not believe that they have any right to interfere with

other men who desire to accept the employment which they have abandoned. When they do the first they merely exercise their own right; but when they do the second they trespass upon the right of other men, and thus subject themselves to the criticism of every fair-minded man.

I can see no possible similarity between sabotage and reducing the cotton surplus in the way which I have proposed. Sabotage destroys the property of other people, while under my plan of reducing the cotton surplus, no man would burn any cotton except his own. "The difference between less cotton being worth more and possibly the similar view of labor of less work bringing more" is not so perfectly plain as the difference between sabotage, which inflicts a direct injury by one man to the property of other men, and burning cotton by the owners of it; but it becomes perfectly plain when we concentrate our minds on it. Mr. Swanson's analogy would be complete if the unions insisted on less work in order to prevent the wages of labor from falling below the level of a decent living; but that is not, as we all know, the real purpose behind the demand for shorter hours.

I would not, under ordinary conditions, advise any man to destroy even his own property; but the conditions which confronted us were not ordinary. We found ourselves with a surplus of more than 10,000,000 bales of cotton, in consequence of which the price had fallen below the cost of producing the cotton then on hand; and it was certain that this year's crop would sell below the cost of producing it, unless that surplus could be very greatly diminished. Nor was that the end; for such a surplus carried over, even if normal consumption were resumed, would injuriously affect the price of cotton for several years yet to come, thus entailing a loss on cotton farmers which it would be difficult to compute, and whatever tends to impoverish our farmers tends also to bring disaster to all of our people. Certainly that situation called for a remedy, if it was possible to find one which did not require us to violate sound moral or industrial practices. Does the plan I have proposed do that? I do not think it does.

We do not need to look very far for precedents. When the manufacturers of any given commodity find that they have

over-supplied the market until the selling price has fallen below the cost of production, they either close their factory down completely or materially curtail their operation; and in doing either, their employees suffer a serious loss of wages. But no reasonable man insists that the owners of a factory shall continue to over-supply the market, and still further reduce the price until they are forced into bankruptcy. Is there any important difference between curtailing future production and destroying a part of past production? It may be said that in burning cotton which has been already produced we are destroying something which the world needs for its comfort; but my answer to that is that a large part—perhaps 80 per cent—of the cotton which I propose to destroy, on account of its inferior grade, can not be utilized for making cloth, and, therefore, in burning it we are destroying a baleful shadow rather than a useful substance.

Some will ask how it can be true that such cotton can seriously affect the market price; and my answer to that is that the Government includes all of that low grade cotton in estimating the supply on hand, with the inevitable result that its effect on the price is substantially the same as if its quality were such as to make it useful. If the Government reports classified cotton, and make it plain that four million bales of the supply in sight are not available for commercial uses, the existence of these four million bales of low grade cotton would affect the price of all cotton much less than it does now. But the Government reports do not classify the cotton on hand, and these 4,000,000 bales of very low grade cotton are included in the total without any comment on their quality. That being true, the only way in which we can escape their hurtful influence on the price of all cotton is to consume them or to burn them; and, as we can have no reasonable expectation that they will be consumed, the only way in which to take them off of the market is to burn them.

There was a time when at least half of that cotton could have been sold to Germany, whose people were badly in need of clothes, and as they were not able to buy good cotton which then commanded a high price, they would have cheerfully taken

inferior cotton at a price which they were able to pay; and that price would have been much above the present price of good cotton. But a perverse Administration then prevented all commerce with Germany, and that opportunity was lost to us forever. With good cotton selling at the present price, no manufacturer will buy very low grade cotton; and as very low grade cotton constantly deteriorates in quality, the longer we hold it the less chance we will have to sell it at any price. Of course, if good cotton were to advance to something like the price it reached in 1918 and 1919, manufacturers might be induced to buy this low grade cotton at some price; but good cotton can never advance even to half the price of 1918 and 1919 with such a surplus as must exist so long as this 4,000,000 bales of low grade cotton remains on the market.

No matter which way we turn, that 4,000,000 bales of low grade cotton obstructs our return to prosperity, and the only plan of removing that obstruction, in my judgment, is to burn it. I understand the drastic nature of that plan as well as anybody, and I would never have proposed it if I could have devised any other plan which promised our people relief in any reasonable time. I sought some other way; but after thinking over the matter for months, I was not able to find it. I was under no delusion about it, and when I proposed my plan I was aware that the inclination of every mind would, at first, be to reject it; but I was also convinced that a careful study of the question would lead every thoughtful man to conclude that it was not possible to devise any other plan which would bring immediate relief to our section. I am still of that opinion, and so far as I know, the gentlemen who have objected to my plan have not yet ventured to offer us one which promises any desirable result.

OIL POLITICS IN TEXAS

A few years ago a bitter and relentless war was waged against a United States Senator from Texas upon the ground that he had helped to bring the Waters-Pierce Oil Company back into this State. A more unjust attack was never made on any

public man; for if everything charged against that Senator in the beginning had been true, it did not justify even a serious criticism of his conduct, either personally or politically. If he had been an attorney for the Waters-Pierce Oil Company, and as such had sought to compromise the case of the State against it, nothing more than a question of propriety could have arisen out of that circumstance; and yet malevolent politicians pretended to think that he had committed some great wrong against the people. But it is not the purpose of this editorial to review that old contest. Time is taking good care of that.

Recent events, however, render it very pertinent to inquire why our State officials then exerted themselves so strenuously to outlaw the Waters-Pierce Oil Company because a majority of its stock was owned by the Standard Oil Company, and now permit several other corporations in which the Standard Oil Company owns a majority of the stock to transact business here unmolested. They may say that the Standard Oil Company is not now a trust; but that answer will not satisfy any man who is familiar with the oil industry of this country. The Standard Oil Company is as powerful today in all of the States as it ever was, and much more powerful in this State. I do not say that the corporations owned, in whole or in part, by the Standard Oil Company, are transacting business among us in violation of the law; but I do say that its concealed control of the Waters-Pierce Oil Company was no worse than its open control of other companies now operating in Texas.

Many intelligent Texans now believe that the official hostility of this State towards the Standard Oil Company was merely pretended for political purposes; and certain facts seem to justify them in that belief. Let us briefly recall some of those facts. The celebrated suit against the Waters-Pierce Oil Company was based on the allegation that a majority of its stock was owned by the Standard Oil Company; but no suit was brought, at that time, against the Standard Oil Company itself, although it was then transacting business in Texas through, at least, two other companies. If the Attorney General did not know, when he instituted his suit against the Waters-Pierce Oil Company, that the Standard Oil Company was transacting

business here through other companies, he learned that fact before he had proceeded very far with his case against the Waters-Pierce Oil Company; because the testimony which he took in that case very plainly disclosed it.

But notwithstanding the disclosure made by the testimony taken in the Waters-Pierce Oil Company case, the Attorney General did not sue the Standard Oil Company until after that same Texas Senator had told the Governor and the Attorney General to their teeth, in a public meeting at Dallas, that the Standard Oil Company was transacting business in Texas, and demanded that immediate action should be taken against it. After that episode, which created a sensation in political circles, the Attorney General could no longer avoid bringing a suit against the Standard Oil Company; but the manner in which that suit was conducted, and the termination of it, exhibited a favoritism towards that company no less marked than the immunity which it had long enjoyed. A comparison between what was done in the two cases will be interesting.

The Waters-Pierce Oil Company was sued and its President was indicted; the Standard Oil Company was sued, but no officer of it was indicted. A judgment for more than \$1,800,000.00 was recovered against the Waters-Pierce Oil Company; but an agreed judgment for only \$160,000.00 was accepted against the Standard Oil Company. That difference in the amount of the judgments can not be defended, and it is difficult to properly characterize that discrimination when we know that the entire property of the Waters-Pierce Oil Company was worth less than \$10,000,000.00, while the entire property of the Standard Oil Company was worth more than \$600,000,000.00. But despite that great disparity in the assets of the two companies, the Attorney General of Texas, after recovering a judgment of more than \$1,800,000.00 against the smaller company, accepted an agreed judgment for less than one-tenth of that amount against the larger company, though both had violated the same law.

On first thought it might seem that as the Standard Oil Company owned practically two-thirds of the stock in the Waters-Pierce Oil Company, and was, therefore, compelled to

pay that proportion of the judgment against the latter company, it was deemed fair to show it some leniency in the other case; but that explanation does not explain when all the facts are considered. The Waters-Pierce Oil Company was convicted because the Standard Oil Company owned a majority of its stock; and as the Standard Oil Company was the real offender, it should have been prosecuted as the principal offender. In other words, the larger judgment should have gone against the larger company under any circumstances, and particularly so since its stock ownership constituted the offense of the smaller company.

It has been said by men who were in a position to know that the Standard Oil Company aided the State in prosecuting the Waters-Pierce Oil Company, and subsequent developments tend strongly to sustain that charge. It is now a matter of common knowledge that for several years prior to that time, H. C. Pierce and the managing officers of the Standard Oil Company were at serious disagreement; and that disagreement finally culminated in a law suit, instituted by Pierce to prevent the Standard from controlling his company. It, therefore, fell in exactly with the plan of the Standard Oil Company to have the Waters-Pierce Oil Company, and not themselves, prosecuted as the principal offender; for in that way they could be revenged on Pierce, and could easily recoup their part of the fine paid by the Waters-Pierce Oil Company by superseding it as the principal oil merchant of Texas. That is exactly what has happened. The Waters-Pierce Oil Company did not survive that prosecution; it paid the judgment against it; but terminated its corporate existence. On the other hand, the Standard Oil Company allowed its properties to be sold; had them bought in by a friendly interest; and they were the basis of the present Magnolia Petroleum Company, which has absorbed a large part of the business formerly done by the Waters-Pierce Oil Company, thus receiving the entire profit where before they received only two-thirds.

It is certain that the Standard Oil Company did not feel that it had been proceeded against with undue severity; for it afterwards employed the Assistant Attorney General who was

most active in the case against it as one of its attorneys. That statement needs amplifications, and I am glad to amplify it. Jewell P. Lightfoot was the Assistant Attorney General to whom I have just referred, and he was called as a witness in the libel suit which the Hon. B. F. Looney brought against the Dallas News. When on the witness stand Mr. Lightfoot was asked if he was an attorney for the Standard Oil Company; but he refused to answer that question, and his deposition was, on motion, suppressed by the court for evasiveness. He was then examined a second time, and on this second examination he admitted, under oath, that he had been employed by the Standard Oil Company as an attorney. Nor is that all. The gentleman who purchased the Standard Oil Company's properties when they were sold under the judgment against it, testified in the suit which Attorney General Looney brought against the Magnolia Petroleum Company that everything which was done about the purchase of those properties and their reorganization was done with the full knowledge and approval of both Attorney General Davidson and Assistant Attorney General Lightfoot.

Remembering the fury of the assault made by the politicians on that Texas Senator, it seems passing strange how little they now have to say about the Waters-Pierce Oil Company and the Standard Oil Company. The Standard Company is now openly doing business—big business—in Texas; it owns the Magnolia Petroleum Company, and is said to own a majority of the stock in the Humble Oil Company; the Pierce Oil Association, of which H. C. Pierce is the principal owner, is not only selling oil in Texas, but it has established a refinery here; and the most reckless of those politicians do not dare to charge that "Bailey brought them back to Texas." The present Governor is an anti-Bailey man; the present Attorney General is an anti-Bailey man; and a majority of the present Legislature are anti-Bailey men. But with these anti-Bailey men in absolute control of the State, the Oil Companies, whose officers those politicians said it was a sin for Bailey even to know, seem now to be in high favor, or, at least, immune from attack. The people will understand all of this in time, and will despise the

hypocrisy which is so plainly manifested in the difference between now and then?

A SPEECH

The Hon. Martin Dies is one of the most brilliant men who has served as a Representative from Texas, or from any other State, in recent years. In his time he has made many speeches much more profound than the one we print below; but this one touches up the isms of the day in such delightful vein that we think it worth the while of our readers to print it. It was delivered at Baltimore, and printed in the Congressional Record at the request of the Hon. John N. Garner.

Government Ownership

Extension of remarks of Hon. John N Garner, of Texas
in the House of Representatives
Tuesday, February 2, 1915

MR. GARNER. Mr. Speaker, under the leave granted to me to extend my remarks in the Record I include a speech by Hon. Martin Dies before the Merchants and Manufacturers' Association at Baltimore recently.

Washington, January 30.

Hon Martin Dies in his recent speech before the Merchants and Manufacturers' Association in Baltimore took occasion to bitterly score the trend of events toward Government ownership. His remarks in full were as follows:

“As fellow shareholders with me in this great enterprise called government, I venture to direct your attention to some of our joint affairs, or, in congressional parlance, to resolve the body into a committee of the whole for the consideration of the state of the Union.

“I candidly confess that I am moved to this discussion by the hope that you may be brought to see certain public questions as I do, and thereby join me in furthering what I conceive to be the public good.

“You are manufacturers and merchants of this great metropolis, but I have not the slightest doubt that your true interests as citizens of the United States are in perfect accord with the true interests of every farmer and laborer of the district which I have the honor to represent in Congress. To my mind, ‘what is good for one bee is good for the whole hive.’ Men of large affairs and men of small affairs are essential complements to each other, and neither can long escape those general injuries which affect the others.

“As an observant student of current affairs, I give it to you as my conviction that all classes of men, from the richest to the poorest, in all parts of the Union, are suffering and are about to suffer still more from an overproduction of laws. Not all these laws are being ground out at Washington. Almost every State legislature is working overtime grinding out legislative grist.

Progressive Reformers are Flooding the Country

“The Congress and the country are simply teeming with so-called progressive reformers. All of these uplifters are active; many of them are honest, and some of them are intelligent. They have learned that a tablespoonful of salts is good for constipation, and from that perfectly rational premise they have excitedly jumped to the conclusion that a bushel of salts would render the entire human family ‘healthy, wealthy and wise.’ In their boiling imagination the horse that does not run away with the cart is balky, and the legislator who hesitates to destroy the ancient landmarks is a reactionary. They are to be found in every political party, and their schemes for abolishing poverty by law and hastening the millenium by statute are as numerous as the stars of the firmament. They seem determined to put the entire human family in plaster of Paris to prevent the breaking of bones and the spraining of tendons.

“I wish I had the time to detail to you the complex and ramified dreams of this new school of thought, or, rather, thoughtlessness.

“At the risk of tiring you I venture to point out one of their many obsessions, that of Government ownership.

“They want the Government to own and operate everything from a Zebrula farm in Maryland to a railway system in Alaska. There are bills pending in Congress for Government ownership of coal mines, radium mines, farm houses, armor-plate factories, and other properties and activities too numerous to mention.

Ownership Asked By Men On Every Side.

“The former Postmaster General and the present one have recommended to Congress the Government ownership of telegraph and telephone lines. The Secretary of the Navy has recommended to Congress the Government ownership of oil wells and refineries. The Secretary of the Treasury has recommended the Government ownership of ships of commerce. And so on down the line until every reformer has been heard from and every industry and every human activity has been tendered to the capacious maw of common ownership.

“If a business pays large dividends, like the oil business, we are told that the Government should enter the field. If it is a losing business, like railroading in Alaska, they say the Government should take it over.

“Gentlement, we are no longer taking steps but strides in the direction of socialism. What is to be the effect of all this? How will business fare and how will taxpayers fare when Uncle Sam pays the men and manages the business of the country through politicians elected by the people? There need be no doubt if you will study Congress as the handler of pay rolls and the proprietor of business. Congress will do in the future as it has done in the past. It will go right on, from year to year, raising the pay of every employee of the Government that votes, voting new pensions, adding to the retirement list, and yielding to every organized demand that is made upon it.

“I will give you a few concrete examples of what the country may expect when Congress becomes the paymaster of this new army of Government employees.

Pension Roll Taken as Example.

“Take as a starter the million-name pension roll of the Government, which receives from Congress more money than the

standing army of any European nation in times of peace. Congress stands in such dread of the pension vote that it does not halt when they have been given all they demand, but complacently hands over multimillions in excess of their demands. The country witnessed that spectacle in the case of the Sherwood pension bill.

“Then consider the case of the rural mail carriers, a smaller army than the pensioners, but no less valiant when a charge is ordered against the Treasury. The rural carriers began with a modest salary of \$300 a year in 1896, and I believe Congress has added something to their pay every year until now they receive \$1,200 a year, with life and accident insurance thrown in. In his last report the Postmaster General requested authority from Congress to have the rural mails carried by contract at a saving of \$17,000,000 annually, but Congress did not dare to do such a thing, for Congress is standing for re-election, and the carriers are a great political power.

“Permit me to give you one other illustration. Our civil-service laws provide that when a civil-service employee ceases to be efficient his pay shall stop, but the departments at Washington are crowded with men and women who are unable to earn their salaries. Why are they not dismissed? Because public opinion will not allow it.

“So much for Uncle Sam as a paymaster. How does he perform as a business manager? A single example will give you a clear insight into the generous old gentleman’s business sagacity. He is rich in timber resources; in fact, the most extensive owner of the stumpage in the world. This stumpage is being sold off from time to time, and one would suppose some part of the proceeds would find their way to the Treasury. Not so. The army of high-salaried employees of the Forestry Service do not take in enough from the sale of timber to pay their salaries, and Congress-taxes the people for the necessary millions to keep the business going.

Other Cases Are Sure To Come.

“There are other cases in point, and when we come to operate the railroad in Alaska, the telephone lines, ship lines, and oil wells there will be yet other cases in point.

“It is an old saying, but a true one, that everybody’s business is nobody’s business. Our Government is a large affair, and the idea prevails in all circles that this great and rich Government should be liberal with those who work for it.

“The rural carrier makes twice as much as the farmer to whom he delivers the mail, with half the labor and less than half the investment. Upon that basis, what will the Government conductor in Alaska receive?

“If Congress can not now resist the organized demand of the carriers, how will it be able to resist the organized demand of Government railway employees, Government sailors, and Government telephone operators? If a rural carrier transporting the mails in safety along the country roads of Texas demands life insurance, what will be the demand of Government sailors, who brave the sea, and Government brakemen, who face the bitter cold in frozen Alaska? How will Congress answer the demands of Government telephone operators? Ah, there will be eloquence for you. The Congressman’s constituent who is a conductor and the Senator’s constituent who is a sailor will know how to get a job without being fit for it, a raise of salary without earning it, and a pension without deserving it. He will also find a way to stick on the pay roll long after he is able to stay on the job.

What Ownership Will Call For.

“Government ownership of one thing in one place calls for Government ownership of other things in other places. Of what use is a Government railroad in Alaska unless there is freight to haul; therefore the Government must develop the coal mines. Of what use are Government ships without cargoes; therefore the Government must assemble them. Of what use are Government oil wells and refineries without pipe lines; therefore the Government must build them. Thus the activities of Government ownership breed like insects in the sun, and there is no place to stop short of socialism where the individual is lost in a mass of inertia and absolute government becomes the master of all.

“I hold to the faith of the fathers that the government is

best which governs least. I would leave the individual free and make the government his servant. I would give all men an equal chance in the race of life, without hobbling the feet of energy to await the approach of sloth.

“And that brings me to an important question which I wish to address to you. Indeed, if I had not wanted to propound this vital question to you I would not be here to-night.

“What are you doing to combat these false doctrines?

“What steps have you taken, what steps are you taking, to arrest the frenzy of the times? Are you doing your full duty as citizens of this free Government? I have but hinted in the most general way at these evils which assault the very foundations of our institutions, but that hint is sufficient to put prudent men on notice, and having that notice, it becomes your duty to stop, look, and listen.

What is The Remedy Needed?

“Public opinion controls public men, and may I ask you without impertinence what you are doing to mold public questions? Have you taken pains to discuss that matter with your legislators in the State and Nation? I grant that your business demands your best attention, but the responsibilities of sovereignty are not to be neglected.

“The air is thick with fallacy. From every chautauqua platform paid orators thunder forth the heresies of socialism. You need not doze away and dream that the wave will break. It is rolling on unchallenged from victory to victory, and there are none to oppose it.

“Congress is not the leader, but the follower of public opinion. Congress follows the crowd that makes the most noise, and I stand before you to-night to tell you in the most solemn manner that it is your duty to make a noise against Government ownership, against socialism, against the untrained hands of theoretical statesmen who blindly tug at the pillars of the temple.

“And may the God of nations save this Republic from the dead sea of socialism, and the fruit thereof, which turn to ashes on the lips.”

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THE DEMOCRATIC REVIEW

OWNED, CONTROLLED, AND EDITED BY
JOSEPH W. BAILEY

VOL. 1

AUGUST, 1921

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TO resist the further encroachment of the Federal Government on the sovereignty of these States, and thus help to perpetuate this Republic as our Fathers established it; to oppose the further abridgment of individual rights, and thus help to preserve for ourselves and our posterity the inestimable blessings of civil liberty; to support our constitutions, both State and Federal, in all of their provisions, and thus help to limit the power of those who are chosen to govern us; to contend against the progressive paternalism which is rapidly reducing us to a state of governmental pupilage, and thus help to restore that self-control without which no people can ever be capable of self-government; to defend the right of private property, and thus help to assure those who are industrious enough to work, and prudent enough to save, that they shall enjoy the fruits of their industry and their prudence; to combat Socialism in every form, and thus help to maintain an orderly government in our country,—are the principal purposes which this Magazine is intended to serve.

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THE DEMOCRATIC REVIEW

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We denounce the growing extravagance of the Government, Federal, State, and Municipal, as not only a useless waste of the wealth created by the labor of our people, but as the prolific mother of many governmental vices; and we demand a return to that simplicity and economy in our public affairs which our democratic fathers practiced in the most glorious era of this Republic.

It is not necessary, of course, to consume any time in demonstrating that extravagance exists, and that it is growing, in every division of our Government, Federal, State, County, and Municipal; but it will be useful to emphasize the extent of it by some very simple comparisons, which I will confine to the Federal Government in order to avoid extending this editorial beyond all reasonable length. For the fiscal year next preceding the Civil War our expenditures were less than \$62,000,000; for the fiscal year next preceding our entrance into the World's War our expenditures were more than \$1,000,000,000.00; and for the last fiscal year our expenditures exceeded \$5,000,000,000.00. That enormous increase, as expressed in cold figures, must deeply impress every thoughtful man, but those figures do not convey the full significance of it.

In 1859 one-third of our cotton crop would have more than paid the entire expenses of the Federal Government, but today our cotton crop, our corn crop, our wheat crop and our oat crop, all combined are not sufficient. Ponder that statement, if you please! The four great crops of the most intelligent and industrious people in the world consumed in supporting the Federal Government, leaving our State, County, and Municipal Govern-

ments to be supported out of our other resources. Nearly 50,000,000 of our people are engaged in agricultural pursuits, and yet the principal crops produced by their labor will not defray the expenses of a single division of our Government. Is it not time to call a halt?

Some men attempt to excuse this inexcusable increase in our public expenses by saying that the country has grown very much since 1859. That is true; but it does not justify any such increase in our expenditures as has occurred. Our population in 1859 was over 30,000,000, and our population in 1920 was 105,000,000. With less than four times as many people in 1920 as we had in 1859, a corresponding increase in the public expenditures would have called for less than \$220,000,000.00. That estimate is more than liberal: because certain charges must be met whether the population is large or small, and the expenses of our Government ought not to grow at the same rate as our population. I am willing, however, for present purposes, to waive that point and to accept the view that an increase in the population renders necessary a corresponding increase in governmental expenses.

Reducing the totals already given to a per capita basis, we reach this result: The expenditures in 1859 amounted to about \$2.00 per person; the expenditures in 1916 amounted to about \$10.00 per person; and the expenditures in 1920 amounted to about \$50.00 per person. The increase of \$18.00 per person between 1859 and 1916 is utterly indefensible; and the increase of \$40.00 between 1916 and 1920 is still more indefensible. It is true that a great war intervened during the latter period; but it was terminated in November, 1918, and this country was, in fact, if not in law, at peace with the world throughout the entire fiscal year which ended June 30, 1921. Interest on the war debt and a suitable provision for those who were disabled in our country's service were, therefore, the only unavoidable increases in our national expense account; and the very fact that it was necessary to meet those new expenditures should have induced Congress to retrench in other directions.

But instead of retrenching, wherever retrenchment was possible, Congress pursued exactly the opposite course, and doubled

the appropriations for 1920 as compared with the appropriations for 1916, outside of the interest on our war-debt and the money required for our disabled soldiers. A prudent business man who found himself confronted with a new and extraordinary expense which could not be avoided would have taken good care against incurring any additional expense which could be avoided. But our law-makers, I regret to say, during these last few years seem to despise the rules of business prudence as something which shop-keepers should heed, and which statesmen should ignore. They waste the public money like spendthrifts, and they tax everything betwixt earth and Heaven in order to raise more to be wasted in the same way. They are prodigal with the public money, but provident with their own.

The expenditure of \$1,000,000,000.00 in 1916 was an outrage on the American people, and the expenditure of more than \$5,000,000,000.00 in 1920 can not be characterized in language which ought to be printed in a reputable magazine. When the war was over, a Congress which was mindful of its duty to the people, and earnest in its desire to serve their best interest, would have repealed every law which required the expenditure of money for war purposes, and would have restored the country to a peace footing in that respect as well as in all others. The processes of the congressional mind on this question are incomprehensible to me. If Senators and Representatives did not, themselves, suffer the pinch, they knew that their constituents were in the grip of hard times; and yet they refused to reduce the expenses of the Government, although its citizens were compelled to practice the most rigid economy. Why should the Government be dressed in fine linen, and fed on cake, while those who support it must wear plain clothes and eat coarse food?

A people who enjoy the blessings of a free government should, of course, be willing to contribute out of their earnings whatever is necessary to maintain it; but at the same time those who determine the amount to be contributed should keep always in mind that the Government is a consumer, and not a producer. The farmer who buys or rents land, and bestows his labor on it in the cultivation of crops, is producing wealth; the manufacturer who purchases raw materials, and converts them into

finished products, adds to their value; the merchant who buys at wholesale, and sells to the consumer, performs the useful office of exchanging products, and thus encourages a greater production of wealth; but what the Government spends does not increase the wealth of our country, and certainly it is not wise to withdraw from our productive enterprises more than is necessary to maintain a non-productive agency like our government.

If the money spent by a government could be provided without taxing the people, extravagance would, nevertheless, be a crime; because the waste of wealth involved in unnecessary expenditures is not the only—and, indeed, it is not the worst—result of mispending public money. Governmental extravagance breeds corruption; and no extravagant government in all the history of the world has ever escaped becoming, in time, a corrupt government. I do not mean that it will make all legislators venal, for it will not do that; but the ignoble vice of bribe-taking is not the only dangerous form of corruption in a Republic. Extravagance is the prolific mother of other evils; it vitiates the public conscience, and leads to gross abuses of the taxing power. The Government has no right to collect money from the people for any purpose except to support itself, honestly and economically administered; but extravagance scorns that simple article of democratic faith, and spends as if there were no limit, either constitutional or moral, on the power of taxation.

The misuse of Federal money has done more to seduce the States of this Union from a strict adherence to their rights than any other single influence. The “assistance appropriations,” as they are sometimes called, which the Federal Government has been making for the States in recent years, prepared the way for an extension of Federal power, exactly as wise men foresaw, in the beginning, that it would. Some Congressmen support those appropriations with the deliberate purpose of divorcing the people from the doctrine of State Rights, while others support them because they are anxious to “do something for their districts” — not so much to relieve their constituents as to assist themselves in securing a re-election. But whether actuated by one motive or by the other, the votes are the same in

their effect; and the truth, bluntly told, is that the politicians in Congress, through design or through ignorance, are bartering away the sovereignty of these States.

We often hear men ask what the Federal Government does with the stupendous sum which it annually exacts from the people. The answer to that question is that a large part of it is spent in usurping functions which are not Federal, and another large part of it is wasted in executing functions which are Federal. More than half of the money the Government has collected during the last fifteen years has gone in one or the other of those two ways. So many expenditures of both kinds have been authorized that a bare list of them would make a book, and I can do no more in this editorial than illustrate them by an example of each kind. It is not easy, out of the vast number, to select the ones which will best serve that purpose; but I will use the appropriations which have been made for good roads to illustrate the first kind, and I will illustrate the second kind by relating a recent experience of my own.

To build public roads in the several States is obviously not a function of the Federal Government, and can not be made such by the transparent subterfuge of calling State highways Federal "Post Roads"; but Congress appropriates many millions every year for that work. Our Senators and Representatives seem to think that whatever money they can obtain from the Federal Treasury for the purpose of building roads is that much saved to their States. A more foolish notion never entered the brain of a man. The Federal Government has no money except such as it takes from the people; and a Federal appropriation for good roads simply means that each State will receive from the general treasury what its people have first paid into it, diminished by the cost of collection and disbursement. It may happen, of course, that some States will receive more than their people have paid in; but if so, then it must likewise happen that some States will receive less than their people have paid in, and money contributed by the people of some States will be used for building roads in other States.

I am an earnest advocate of good roads, and I will cheerfully pay any tax necessary to provide them; but I insist that they shall be built by the States, without Federal aid or Federal interference. I will never agree that Texas shall help to pay for good roads in Maine, or that Maine shall help to pay for good roads in Texas; and much less will I ever agree that Texas must submit the "surveys, plans, specifications, estimates" of her roads to a Federal Secretary of Agriculture for his approval. To all of that, I am unalterably opposed; and I am still more opposed to any law which declares our good roads to be "Post Roads," for such a law confers jurisdiction over them on the Federal Government, and that jurisdiction will be exercised in due time, if the Nationalists remain in power. Every State should have the best roads which its people are able to pay for, and willing to build—neither better than that, nor worse than that—and those roads should be built according to State plans, and remain forever under State jurisdiction. That doctrine may not be very "progressive," but it is thoroughly democratic.

The experience which I shall relate to illustrate the unconscionable waste of money by the Federal Government in doing what it ought to do, made it plain to me that conditions are worse than I had ever supposed. I had known for many years that the Government spends much more in doing any given work than a corporation or an individual would spend in doing the same work, and I had also known that the increased cost is due to Governmental methods; but I did not fully understand the absurdity of those methods until I was brought into personal contact with them in a claim case which I recently conducted for some of my clients before the War Department. A mere recital of the hearings and rehearings, the references and re-references, the decisions and the reversals, will provoke a disgust in the mind of every man who believes that the Government should pay what it justly owes to its citizens without unnecessary delay.

That case was first submitted to a Board composed of two army officers, and after hearing all of the witnesses they found for the claimants; that finding was reversed by the Appeal Section, on a question of law; it was then heard by the Assis-

tant Secretary of War, who decided it against us, and reported his decision to the Secretary of War for approval. Declining to act in the matter until he could satisfy himself about the justice of it, the Secretary of War went through the record with the most commendable thoroughness, and finally reversed the decision of the Assisant Secretary. Before taking that action, however, the Secretary, not being a lawyer, requested the opinion of the Attorney General on the legal question which the Appeal Section had decided against us, and that opinion being in our favor, made us an award. Thus this one case was decided four different time in the War Department—twice against us, and twice for us.

The award was transmitted, in proper form, to the Finance Division of the War Department for payment; but before they would act on it, they required that the Board of Contract Adjustment should submit to them what they called, "a supporting file." That was done, and thereupon a Colonel Carmichael reported that the award could not be paid because no appropriation was available for that purpose. The papers were then sent, for a decision on the question of paying the award, to the War Division of the General Accounting Office, where they were examined first by a Mr. Tulloss, and then referred by him to another section of that division for review. They advised against the payment of the award, not for the same reason assigned by the Finance Division of the War Department, but for the entirely different reason that the claim had not been presented within the statutory time.

From the War Division of the General Accounting Office the papers were sent to the Comptroller General, who referred them to a Mr. Goldze, who referred them to a Mr. McFarland. After he had, presumably, investigated the question, Mr. McFarland made a report to Mr. Goldze, who made a report, in turn, to the Assistant Comptroller General, Mr. Ginn, who decided the question, subject to the approval of the Comptroller General; and the Comptroller General could not, of course, either approve or disapprove that decision, except as a matter of form, without carefully considering the question involved. Thus, after the award had been made, seven different officials passed on the question

of whether or not it should be paid. We were not permitted to see the opinions expressed by all of those seven officials; but of those which we were permitted to see, no two of them agreed. Comment on such procedure is unnecessary.

Including the lawyers who appeared for the Government before the Board, and the Assistant Secretary of War, twenty-one different public officials were concerned, at different times, in the settlement of this claim, for which no well managed corporation, or intelligent individual, would have thought it necessary to engage more than two men—one business man, and one lawyer. My experience was not different from that of others who deal with the Government. They all tell the same story; and it is small wonder that great expense results. I am fully convinced that the Federal Government could be administered to its own advantage, and still more to the advantage of its citizens, with one-fourth of the men it now employs; for it is inevitable that with so many men working on the same matter, none of them will do their work as it ought to be done. That is an infirmity of human nature, and manifests itself in private as well as in public employments, though it is greatly intensified in positions which depend on political influence, or in which the incumbent holds practically for life under the Civil Service Law. The corrective suggests itself. While Congress is looking about for ways and means to support the Government they should remember that economy is the best substitute for taxation, and reduce our public expenses by dismissing many thousands whose retention in office impairs rather than promotes the efficiency of our public service.

A PERNICIOUS BILL

Senator Wadsworth of New York is an able man, and a sincere patriot; but he has recently introduced a bill which would lead me, if I did not know him, to believe that he is neither. He proposes that officers of the regular army shall be permitted to accept civil appointments, which is a step in exactly

the wrong direction. If the United States does not need—and it does not—all of its army officers, our military establishments should be reduced to those who are needed. Why should the people of this country be taxed to pay the salary of any army officer while he is engaged in civil pursuit, and receiving in that more than men worthy as he is are able to earn? It is no answer to say that the Government desires to keep its officers where they can be called to the colors at any time; for that could be done though they had resigned from the army, or had been separated from it by a law reducing the number of officers. Those men accepted their education from the Government, and thus imposed upon themselves a special obligation to perform its military service whenever required to do so.

I am free to say, however, that the question of a double salary is not my only objection to the proposed dispensation in behalf of the regular army officers. Every man who knows anything about those gentlemen knows that they are arbitrary and unreasonable in dealing with civilians on civil matters. They care absolutely nothing for the law, or the rights of an American citizen. If a military bureau has decided any question, they adhere to that decision no matter how absurd it may be, and it is an absolute waste of breath to argue with them, either about the law or the justice of that question. That is a result of their military training, and while it may fit them for service in the army, it unfits them for the civil service of their country. Instead of introducing these army officers into our other offices, Senator Wadsworth can render his country a better service by taking every officer of the regular army, except the Adjutant General, out of the War Department, and sending them back to their camps and barracks. Their trade is to fight, and they must unlearn all of the lessons taught them by military discipline before they are qualified to deal justly and intelligently with civil matters.

AN EXCELLENT BILL.

For more than a year all thoughtful men have realized that we could not expect an early return of prosperity unless we

can find a way to dispose of our surplus products, and they have also realized that conditions are such in the principal countries of Europe, where our best market exists, that we can not hope to sell there for cash. Our problem, therefore, was to devise some plan under which those people could buy from us on credit. Such a plan would benefit them as well as us; because it would enable manufacturers to obtain the raw materials necessary to set their people at work, and at the same time enable us to dispose of a surplus which is depressing our domestic prices. But the difficulty has been to provide a system of credits which would be safe, with a seasonable maturity. Many proposals had been formulated on that subject; but all of them have been objectionable in one respect or another. Some of them were paternalistic, and others impracticable.

It remained for a Texas Congressman to prepare a feasible and an unobjectionable measure. That Texas Congressman is the Hon. J. P. Buchanan, and to those who know him, his excellent work is no surprise; because he is both a sound Democrat and a sound thinker. Mr. Buchanan's bill is a very simple one, and will undoubtedly accomplish the purpose for which it was intended. It supplies no money out of the public Treasury to any corporation, firm, or individual; it utilizes governmental machinery already existing to ascertain the financial responsibility of intending purchasers in foreign countries; and amends the Federal Reserve banking law far enough to permit the use of foreign credits and securities received in certain transactions as banking collateral. It does not compel any bank to accept that collateral, but merely enables them to do so, and that will be sufficient. The beneficial effects of such a law will be apparent at once to our southern bankers who are carrying loans on cotton above its present price.

If a group of foreign manufacturers desired to buy 100,000 bales of cotton, but were not able to pay for it in cash, an official inquiry would be made into their solvency, and if it was found to be such that a credit could be prudently extended to

them, the transaction could be carried. The promissory notes, or accepted drafts, received in payment for that cotton could then be distributed to the banks which held the cotton as security, and they could in turn use those foreign notes or accepted drafts as collateral with the Regional Reserve Banks, thus converting what is now a very slow asset, involving, if liquidated, a certain loss, into currency. Those banks would be liable, of course, to the Regional Reserve Bank, if the foreign notes or accepted drafts were not paid; but, under the inquiry directed in Mr. Buchanan's bill, there would be small risk in that regard. It is obvious that if our banks could utilize the cotton which they now carry as a means of increasing their cash on hand, it would enable them to accommodate their customers, and thus help to stimulate business in our section.

But that is not all. By surrendering a part of the cotton they now hold as security for sale to foreign consumers, the banks of the South would increase the price of the cotton which they would still hold as security, thus better securing the balances which would still be due them. The only possible criticism of Mr. Buchanan's bill is the time which it allows on those foreign credits; but that was absolutely necessary. As the foreign manufacturers are without cash to buy our cotton, they must be given the time in which to manufacture it, sell it, and collect on their sales; or otherwise they will not buy it, and if they bought it, they would be almost certain to default on the payment for it. We all recognize that paper with a year to mature is not, under ordinary circumstances, bankable paper; but our present circumstances are not ordinary, and can not be relieved by ordinary means.

In order that the readers of *The Democratic Review* may see for themselves how simple, and then judge for themselves how effective, Mr. Buchanan's bill is, and will be, I herewith reproduce it in full.

67th CONGRESS, 1st SESSION.

H. R. 8125.

IN THE HOUSE OF REPRESENTATIVES

August 9, 1921.

Mr. Buchanan introduced the following bill; which was referred to the Committee on Banking and Currency and ordered to be printed.

A BILL

To provide foreign credits for the purchase of products of essential industries of the United States and to promote the foreign commerce thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State, the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce, are constituted a commission, to be known as the Commission on Foreign Credits, with the duties and powers as hereinafter prescribed.

Upon the written request of any domestic corporation, association, firm, or person having sold, or proposing to sell, the products of any essential industry in this country to any foreign Government, corporation, association, firm, or person, or upon the written request of any foreign Government, corporation, association, firm or person having purchased or desiring to purchase the products of any essential industry in this country on a credit, it shall be the duty of the commission constituted by this Act to make diligent inquiry into the financial condition of such foreign purchaser and all securities offered as a basis for credit, and if found to be such that the credit may be prudently extended shall certify that fact to the Federal Reserve Board; and thereupon negotiable promissory note or notes and accepted draft or drafts evidencing that indebtedness and maturing within one year from the date thereof shall become eligible as collateral with the regional reserve banks of the United States, and said banks are hereby authorized to discount

the note or notes of a member bank secured by such collateral.

The several Secretaries above designated shall have the power to direct any of their appointees in foreign countries to obtain such information for the use of the commission as will better enable it to perform the duty herein imposed on it; and an appropriation of \$50,000 is hereby authorized for the employment by said board of such expert and clerical assistance as may be necessary in the execution of this Act.

The Commission of Foreign Credits herein created shall have the power to prescribe rules and regulations to carry out the purpose of this Act.

AN INSTRUCTIVE SPEECH

In defending the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, Senator Ashurst recently delivered an address in which he traced the history of the Fourth Amendment to the Constitution, and it is a history with which the people of this country should be familiar. The Arizona Senator is one of the most ardent prohibitionists in the Senate, and he can not be justly charged with speaking out of a desire to protect those who engage in an illicit liquor traffic. The speech was as follows:

Mr. ASHURST. Mr. President, at the risk of tediousness and realizing that possibly I ought not to take time from the roads bill I am going briefly to sketch the history of the fourth and fifth amendments to the Constitution, as there is a large attendance in the Senate. It is almost presumptuous, however, in the Senate of the United States to do that, as most Senators are familiar with that history.

A gentleman the other day calling upon me asked, "Did you ever read Lord Coke's famous maxim in Lemayne's case," to wit, "The house of every man is to him as his castle and fortress, as well for his defense against injury and violence as for his repose?" I said, "Yes; I am familiar with Coke, but that was law 1,000 years before my Lord Coke adorned the bench."

Mr. President, before the English conquest of Britain the English people lived in a country now called Schleswick, a district in the heart of the peninsula that separates the Baltic from the northern seas. The dwellers in this particular locality were an outlying fragment of what was called the Engle or English folk, the bulk of whom probably lay in what was later called Lower Hanover and Eastphalia and Westphalia. These Engles in the heart of this peninsula set up their forms of

government; they met in the forests, and with their loud and guttural yeas and nays and sometimes by clashing their spears against their shields as substitute for viva voce vote they adopted a code of laws.

One of the principles they set into positive law and adopted before Hengist and Horsa landed on the island of Thanet in A. D. 449 was the constitutional provision that "a man's house was his castle," and that he was and ought to be secure and free therein from unreasonable searches and seizures. So we perceive that when the Angles came over from Jutland under the leadership of Hengist and Horsa and landed on the island of Thanet they brought with them those English fundamentals as to the liberty of the citizen or subject and they planted them deep and strong in the island of Britain.

When we talk, therefore, of English history we must remember that English history begins with the landing of Hengist's war band in the year I have above mentioned. These warriors under the leadership of Hengist and Horsa, these sons of liberty, were drawn somewhat from the Jutes, as well as the Angles. When English history began, therefore, there was already established freedom from unreasonable seizures and searches. The years glided into the centuries and this provision, amongst many others guaranteeing personal freedom from the encroachments of tyranny, was observed by practically all reigning monarchs until King John so outraged and violated the laws and constitution of his country that there occurred his famous quarrel with his barons and he took refuge on one bank of a little stream called Runnymede; with himself on one side of the stream and his barons on the other they framed a treaty or charter known to history as Magna Charta, signed by King John, June 15, 1215, on a small island in the middle of the stream. This same John once received some excellent advice at the tournament at Ashby, for he had in his train a man who never flattered him; a man of good sense, named Waldemar Fitzurse. The day that the disinherited knight first tilted, King John attempted to carry out his own sweet will on a certain subject in a manner that would prove ruinous; whereupon Waldemar Fitzurse said, "If Your Grace attempts it, it can but prove ruinous to your projects." John replied, "I entertained you, sir, for my follower, but not for my counselor." Whereupon Waldemar gave John advice that all of high station could well afford to consider when he said, "Those who follow Your Grace in the paths you tread, acquire the right of counselors, for your interests and safety are not more deeply pledged than our own."

But say the pundits and the scholars, Magna Charta says nothing about freedom from unreasonable seizure and search; Magna Charta says nothing about requiring warrants to be issued before a citizen is stopped on the highway and his baggage examined and his pockets searched. Let us examine this statement and see how much thereof is true.

I can read but little Latin but I can read English; the original and individual articles of Magna Charta, as they were prepared and offered seriatim, were written in Latin, but when the entire Charta was adopted and engrossed and was ready for the

King's signature, it was written in Norman-French, and we must read it in the light of what its words meant 706 years ago.

I will ask Senators to bear with me while I read paragraph 24 of Magna Charta.

"No sheriff, constable, coroner, or other of our bailiffs shall hold 'Pleas of the Crown.' "

We must view that language in the light of what it then meant, and it meant at that time that sheriffs and coroners and constables, bailiffs, and King's minions had been in the habit of going to the thatched cottage of the peasant and to the castle of the baron, and there these officers and King's minions would invade that cottage or castle and hold court; these officers and minions would command that the householder open the strong box, the larder, or the pantry; they would demand that he open the chest in which he kept his relics, his heirlooms, his private papers, and his title deeds and muniments showing his right to possession to his lands; the penalties which these officers, sheriffs, bailiffs, and King's minions inflicted were degrading and painful and were contrary to law.

Section 24 of Magna Charta denounced that conduct, and the King agreed that his sheriffs and constables and coroners should never thereafter hold court.

Some years after the granting of the great charta a doubt arose as to the precise meaning of some of its sections, although it was pointed out by the lawyers of the day—and the only lawyers of that day were ecclesiasts—that the guaranties in Magna Charta were sufficient to secure the liberty of freemen; nevertheless, in the reign of Edward I, in 1297, the *Confirmatio Chartarum* was promulgated. I will read a comment thereon from John Fiske's *Civil Government in the United States*:

"The words of this important document, from Prof. Stubbs's translation, are given as the best explanation of the constitutional position and importance of the charters of John and Henry III. * * * This is far the most important of the numerous ratifications of the great charter. Hallam calls it 'that famous statute, inadequately denominated the confirmation of the charters, because it added another pillar to our constitution, not less important than the great charter itself.' It solemnly confirmed the two charters, the Charter of the Forest (issued by Henry II in 1217; see text in Stubbs, p. 338), being then considered as of equal importance with Magna Charta itself, establishing them in all points as the law of the land; but it did more. 'Hitherto the king's prerogative of levying money by name of tallage or prise from his towns and tenants in demesne had passed unquestioned. Some impositions, that especially on the export of wool, affected all the king's subjects. It was now the moment to enfranchise the people and give the security to private property which Magna Charta had given to personal liberty.' "

The Great Charter signed in 1215 and the *Confirmatio Chartarum* which was signed in 1297 are in *pari materia* and must be read together; the one dealt particularly with the citizen's personal liberty and the other dealt especially with his property rights. No man since that time has succeeded in the English-speaking world, or wherever it has been pretended there was a

government of law instead of men, in questioning the rights of freemen set out in these two documents.

The leading English case on this subject is that of *Entick versus Carrington and Three Other King's Messengers*, reported at length in *Howell's State Trials*. In this case, as it is reported in *Howell's State Trials*, officers of the law had broken in and seized books and papers belonging to the plaintiff under color of a warrant issued by the secretary of State. Action was brought for trespass against the officers making the seizure. The defendants attempted to justify under the warrant. It was conceded that such warrants had been issued for many years and executed without question. The case was argued before a full bench, and Lord Camden, at the Michaelmas term in 1765, delivered the decision holding that such seizure could not be justified except by a warrant issued by a court upon proper proof, and that even on a warrant issued by the secretary of state it was utterly in violation of the English common law.

This was therefore the law of England when our Federal convention met in 1787 to form the Constitution of the United States.

It is common knowledge that the framers of the Federal Constitution encountered many practical difficulties in writing a Constitution that would be acceptable to the majority of the Colonies. Hence it was widely believed that amendments would frequently be resorted to as time and march of events required. Virginia, along with New York, Massachusetts, and Pennsylvania, at that time was a pivotal State, and when the Federal Constitution was considered at the Virginia convention called to pass upon ratification of the Federal Constitution that eagle of oratory, that premier of statesmen, Parick Henry, was in the Virginia convention, and he challenged Washington's views; he challenged James Madison, he of the superb intellect; he challenged the Wythes, the Pendletons, and the Innesses, and all that splendid galaxy of scholarship and statesmanship that enriches the annals not only of Virginia but of the world, and he demanded to know why a Bill of Rights guaranteeing the privileges and immunities of the citizen had been omitted from the Federal Constitution. The Virginia State Convention, after a prolonged debate, was only able to ratify the Constitution by a majority of 10 votes, so ably did Patrick Henry argue against it because it did not contain the Bill of Rights which Englishmen brought over from Jutland to the island of Thanet in 449, which they affirmed in 1215, in 1279, and in 1689, and which Lord Camden declared so eloquently.

James Madison pledged his word that at the earliest opportunity he would use his great intellect and his energy toward immediately placing into the Federal Constitution the requisite amendments guaranteeing the citizens' rights, and as soon as the Virginia convention had finished the work of ratification it adopted resolutions expressing its desire for the amendments demanded by Patrick Henry. These resolutions were forwarded to the governors of the various States, and as far as men could be bound in faith and honor, as far as men could be

bound in statesmanship and in politics the amendments guaranteeing the citizen's individual rights and his liberties were by common consent agreed to, and it was understood everywhere that these amendments would be proposed to the States by the first Congress.

The first bill to be considered by the newly organized Congress of the United States, of course, was a bill to raise revenue to get something into the Treasury to pay the expenses of the Government; but on July 21 James Madison, who was a member of the House, arose and asked that these amendments be considered. Why, it will be asked, was not this superb intellect sent to the Senate? The reason is that he had voted to ratify the Constitution without the Bill of Rights, and Patrick Henry resorted to the unusual circumstance of bringing out two candidates for the Senate against Mr. Madison, to wit, Mr. Grayson and Richard Henry Lee; thus Madison was defeated for the Senate because he did not stand for the Bill of Rights; but he came to the House of Representatives, and on the 21st day of July, 1789, he arose and "begged the House to indulge him in further consideration of amendments to the Constitution," and he pointed out that the faith and honor of Congress were pledged; that the faith and honor of public men everywhere were pledged to amendments securing to the citizens such guaranties as were comprehended within the first 10 amendments.

Twelve amendments were proposed to the States, and 10 of them were ratified within 2 years and 15 days. Thereafter, so far as Americans are concerned, and so far as the instrument itself is concerned, they were and are a part and parcel of the original Constitution, as much so as if they were signed on the 17th of September, 1787, when the main instrument itself was signed.

It has been asserted from time to time that if there be a desperate case the citizen may be searched without a warrant, his pockets explored, his carriage stopped. Mr. President, we are not justified in looking to the mischief; we are not justified in looking to the end to be accomplished; we are sworn to uphold the Constitution. If there be amendments which the common people understand, they are the fourth and fifth amendments. We require no lawyer to tell us what these two amendments mean; they are plain; there has been less litigation over the fourth and fifth amendments than over any other amendment, because anyone can understand them who can read or will try to comprehend language. It is so plain that, as I said a few moments ago, he who runs may read. As the learned Senator from Connecticut said, in the case of *Boyd versus the United States* (116 U. S., 616), the opinion by Mr. Justice Bradley reviewed Lord Camden's opinion. He gave a history of the fourth and fifth amendments. I will read the syllabus only, not tiring the Senate with the decision, but will ask unanimous consent to include the entire decision in the Record as an appendix to my remarks.

The presiding officer. Without objection, it is so ordered.

A BIT OF HISTORY

The Hon. V. W. Grubbs, a distinguished citizen of Texas, has recently written an interesting letter in which he tells about the first nomination of Roger Q. Mills for Congress. As Col. Mills once occupied a large place in the politics of Texas and rendered conspicuous public service, whatever concerns his political career must always be a matter of interest to our people. I, therefore, reproduce the letter of Judge Grubbs.

The State Democratic Convention, held at Corsicana in the summer of 1872, besides instructing for Horace Greeley for the presidency, nominated Roger Q. Mills and A. H. Nillie for Congressmen at Large.

Whatever may have been the aspirations of Colonel Mills previous to the ballot which resulted in his unexpected nomination over Ex-Governor Throckmorton up to that time he had not been considered by the leaders as a serious congressional possibility. Governor Throckmorton led the field by a good majority but opposing influences with which the chairman of the convention, Judge John H. Reagan, was alleged to be in sympathy, prevented him from going over the top with the required two-thirds majority. Several opposing candidates had been trotted out, but failing to develop any great strength, they more or less gracefully withdrew from the contest.

Late in the third day of the convention Colonel Mills' name was placed before the convention by one of his Corsicana admirers. However, he was not unanimously supported by the Corsicana contingent. A leading member of the local bar, widely known in the State, was against him. This, I was informed, had rather strengthened than detracted from the chances of the Corsicana man. The ballot was taken just before the evening recess. No doubt, for the purpose of giving expression to the gratitude of the delegates to the people of Corsicana for their courteous treatment during the convention, but with no thought of giving their idol the congressional nomination, several of the delegations cast what they intended to be a complimentary vote for Colonel Mills. At the close of the ballot it was announced that there was no nomination, although Mills appeared to have very nearly two-thirds of the votes cast over his more distinguished opponent. On the reassembling of the con-

vention after the recess the chairman announced that a mistake had been made in counting the ballots and that Roger Q Mills had in fact received the nomination by a fraction of a vote. Though not a delegate to the convention, I sat with the Kaufman County delegation, which at the instance of the late Z. T. (Rough) Adams, who had studied law in the office of the firm of Mills & Halbert, but who was really a Throckmorton supporter, had cast what they intended to be a complimentary vote but which unexpectedly gave the nomination to Colonel Mills. Some of Throckmorton's friends were uncharitable enough to charge the result to Judge Reagan because of the rivalry existing between them and which in after years brought about the election of General Sam Bell Maxey to the United States Senate as a dark horse or compromise candidate.

V. W. GRUBBS.

Riverside, California, August 12, 1921.

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First Mortgage Loans.....	\$5,929,277.39
Real Estate	395,426.64
Policy Loans (within reserve)	1,733,607.61
Liberty Bonds	887,050.00
Other Bonds	270,000.00
Cash on Deposit.....	657,238.49
All Other Assets.....	475,909.49

TOTAL.....\$10,348,509.62

LIABILITIES

Policy Reserves and all other Liabilities	\$9,584,510.39
Surplus to Policyholders in- cluding Capital Stock, \$600,000.00	763,999.23

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