

OREGON

The Most Complete Democracy in the World

By FREDERICK C. HOWE, in *Hampton's Magazine*

Continued from Last Issue

Two amendments to the constitution dealing with taxation were defeated, while a third, which abolished poll taxes and gave the people of each county the right to regulate taxation and exemptions within its limits, was approved. Here was another instance of the underlying democracy, of the self-confidence, of the spirit of liberty that has shone through all of the popular legislation. The people were willing that the voters in each locality should tax themselves as they wished, that they should experiment with the things they presumably knew the most about and out of the experiments discover something of value for the rest of them.

The approval of this amendment by the people was the more remarkable because its avowed motive was the taxation of land values, or the Single Tax. Farmers are supposed to be unalterably opposed to the exemption of improvements and personal property from taxation and the collection of state and local taxes from the land alone. But Western Canada has tried this experiment and it has been so effective in stimulating improvements that the contagion of example had spread across the border. Then, too, Oregon is afflicted with land and railway monopolists, and the taxation of land values offered a flank attack upon those who refuse either to sell to settlers or improve their holdings. Under the amendment each county can levy its taxes as it will. In this respect it is sovereign. If the railroads and the land monopolists want to bottle up a county and hold the land for speculative prices, the county has it in its power to make them pay for their "bottling."

The same confidence in local self-government was shown in the approval of a measure permitting cities to regulate, control, or prohibit as they will the sale of intoxicating liquors, which many temperance reformers have sought in vain from the state legislatures.

Protection of Workmen

By a conclusive majority the people decided that workmen engaged in hazardous pursuits must be protected, and that the judge-made defenses of "fellow servants," "assumption of risk" and "contributory negligence" should be modified, while machinery and appliances dangerous to workmen must be inspected, protected and inclosed. For years the labor unions had tried to get such a measure through the Assembly, but big business interests had always defeated it.

A great advance in legal procedure was made by another of the people's laws. After repeated disappointments from the legislature, the labor unions initiated a measure to put an end to the harassing delays and costly appeals in civil litigation. For the unanimous verdict of a jury the people substituted a three-fourths verdict. By this change the plaintiff is given a more nearly equal chance with the defendant before the jury. It is not necessary for him to secure the unanimous agreement of twelve men before he can recover. This prevents the deadlocking of juries by one man possibly in the employ of, or in sympathy with, some great corporation.

The same measure greatly simplified procedure. It directed the supreme court to enter judgment in a civil suit, if from all the testimony presented it was evident to the superior court that the verdict in the trial court was a just one. In other states irrelevant testimony which may not affect the merits of the case in any way, but which has been erroneously admitted in evidence by the lower court, invalidates the whole procedure and makes it necessary to send the case back to the lower court for re-trial.

The law also provided that superior courts should affirm the judgment of the lower courts if there was any evidence whatever before the jury to support the verdict as found. These reforms make it difficult for corporation attorneys to wear out a litigant, especially the poor claimant for injuries suffered in employment, by repeated appeals, reversals and retrials, due to some immaterial error.

Simplify the Law

Lawyers, bar associations and legal reformers have urged for generations that

the law be simplified, be opened to all alike, in fact as well as in theory. It remained for Oregon, for the people of Oregon, to put this Fordian knot and open up the administration of justice to rich and poor on something like equal terms.

At this same election the people carried popular government one step farther on. They decided to take a hand in the nomination of candidates for the presidency. Delegates to national conventions are free to cast their votes as they will. They are not instructed by the voters and are responsible to no one but themselves. Too often are they influenced or controlled by privileged interests, by hope of place or Federal patronage. The party in power is controlled by patronage and the other holding class, while the lack of organization leaves the minority party the prey of an interest powerful enough to control it.

Senator Bourne presented a plan to the voters of Oregon for securing the direct expression of the popular will in making nominations for president and vice-president. The measure was proposed by initiative petition. It provides that delegates to national conventions shall



"Hazel Dell," the home of S. M. Hayden, Kilarney, Man.

be chosen at the primaries while, at the same time, the people may express their preference upon the primary ballot for candidates offering themselves for president and vice-president.

By this measure Oregon extended the people's rule to the White House. Every official, from constable to delegate to the national convention is now responsive and responsible to the popular will.

Spread of Movement

Oregon has revitalized representative government. The Pacific coast has discovered the old town meeting of New England and the spirit of democracy, as it was before the barnacles of Special Privilege were fastened on to it. Her people have found a way through the obstacles that obstruct the popular will. It is not a revolutionary break, but rather a return to the traditions of our forefathers.

One man is a very insignificant atom in a census enumeration of 94,000,000 people, but he may become a very dynamic force when driven by a great idea. It is less than a score of years since W. S. U'Ren fired by the reading of Henry George's "Progress and Poverty" and the story of Switzerland, began to spread the news of his conversion among the scattered farmers of Oregon. In a few years he has seen the seeds of his teachings take root and grow into a great tree in his adopted home.

More than that, these seeds of popular government have been carried, as are the seeds of plant life by birds of passage, until they have found lodgment in the rocky soil of Maine, in Arkansas, and in nearly a dozen states of the Union.

South Dakota, Nevada, and Montana first adopted Direct Legislation. The grangers of Maine and the progressives of Missouri and Oklahoma fought it into their constitutions. Michigan has partially adopted it in her new constitution, while in 1910 Arkansas and Colorado made it their own by large majorities. In the latter state the vote was three to one in its favor. Arizona placed it in her constitution in 1911 which is now before Congress for approval.

"What does this new thing mean?" a

speaker was asked in the campaign for its adoption in Arkansas last fall.

"It means more power to the people, to all the people," was the response.

That was enough. It has proved enough in every state where the people have been given a chance to vote upon it. Nowhere has it been defeated, and nowhere has it had the support of the press or of the leading citizens who make public opinion. In Illinois last year the people were asked to express their opinion on the question of whether they desired such an amendment. The vote was merely an expression of public opinion, yet the people by a vote of 447,908 to 183,398 commanded their representatives to submit such a measure to them for their approval at the polls.

With this new device the people themselves will pass upon the merits of franchise grants, they will decide for themselves what they will do about municipal ownership. There will be no more perpetual franchises, no more long term grants with the people divested of all control. Contracts tainted with robbery or suspected of corruption will be defeated or more likely will never be born, for the people's veto makes speculation in this sort of business unprofitable.

What Denver Did

In May last the people of Denver, a city long ruled by a combination of the "vice trust" and the franchise corporations, decided to try their hand at popular government. The charter provision for initiating measures required that twenty-

committees, in conference, through veto or eleven-hour disagreements.

Direct Legislation, far from promoting mob rule, makes mob rule impossible. It forebuds any possible revolution, any sanguinary struggle, any sudden cataclysm. For the press and the telegraph, the intimate relations of men, the labor union and the grange—all these make the will of the composite citizen a far different thing from what it was a generation ago; it makes all men far wiser than any one man and brings into play talent, expert skill and knowledge, now divorced from politics, and opens an unlimited field for its expression. Through its use, the powers that rule will be forced to serve; while the gathering wisdom of the people will gradually supplant the cunning and cupidity of those that prey.

CONSERVATIVES READY

(By The Guide Special Correspondent)
Press Gallery, Ottawa, May 5.

To-night Mr. Borden gave a banquet in honor of Premier McBride, of British Columbia; Premier Hagen, of New Brunswick; Attorney-General Bower, of British Columbia, and Hon. Robert Rogers, minister of public works in Manitoba, and here also the determination not to allow the agreement to be passed was forcibly expressed. "We shall oppose this agreement, resolutely, and to the finish," said Mr. Borden. "It is the most mischievous and damnable proposal that was ever made in the Parliament of Canada." Apart from this, the most important incident of the gathering, was a statement by Premier McBride, which though couched in somewhat guarded language, was taken as an announcement that if he should at any time be called upon by Mr. Borden to come to his assistance in the Federal arena, he would respond to the call. Hon. Robert Rogers made a similar announcement.

With the exception of a speech by J. G. Turriff, the member for Assiniboia, the Conservatives have been allowed to do all the talking on reciprocity this week. Among the speakers against reciprocity were W. H. Sharpe, of Lisgar; Dr. Schaffner, of Souris; C. A. Magrath, of Medicine Hat, and Alexander Haggart, of Winnipeg. There were some interesting passages in Mr. Sharpe's speech, which are reported elsewhere, but the other speakers confined themselves to a repetition of well-worn arguments.

The Oliver Charges

Another half day has been spent this week on the discussion of the Farmers' Bank failure, and half a day of political emotionalism was provided by a discussion of "the Oliver charges." These charges, which have been brought against the minister of the interior by an old Liberal newspaper man and party organizer, Dan McGillicuddy, consist of an allegation that on a certain day \$50,000 was transferred from a bank in New York to the credit of Mr. Oliver at a bank in Edmonton, and on another day more than a year later \$10,000 came from the same source to the account of the minister. Where the money came from the Conservatives do not know, but the fact that a member of the government has that amount of money is, in the opinion of the opposition, ground for suspicion that he did not come by it honestly. It was insinuated in a Toronto newspaper that there was some connection between this money and the passing of an order-in-council giving the C. N. R. the right to select some lands to which they were entitled, in Saskatchewan instead of in Manitoba, and when this insinuation appeared Mr. Oliver at once asked for an investigation. Sir Wilfrid Laurier on Wednesday moved for the appointment of a committee to investigate the charge that the \$69,000 had been received by Mr. Oliver in connection with the passing of the order-in-council referred to, but the opposition were not satisfied, and they demanded that Mr. Oliver should tell the committee of investigation where he got the money and what he did with it. Mr. Oliver, while stating his willingness to have any act of his in the administration of the department of the interior investigated, declined to expose his private business and bank account to the public gaze, and a party division upheld him in this stand.

The Tools of Democracy

In the Initiative and Referendum democracy has at last found a weapon suited to its use. It is simple, direct, effective. Through it the matured conviction of a community can find immediate expression. There is no necessity for "petitions in boots" by enraged citizens driven to move in mass with lariats on the council chamber; no probability of jokers, as worded as to emasculate the force and effect of a measure; no defeats in

Be poem, 10, 187, the We locomot from th resides east of I to live. all of hi ineptio for west Daily E tuting i endum rrupt pri and whoration As i ally wit political