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GOVERNMENT IN OREGON

A SUPPLEMENT TO S. E. FORMAN'S
THE AMERICAN REPUBLIC

PREPARED BY

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GOVERNMENT IN OREGON

DEMOCRACY IN OREGON

(Supplementing "American Republic," pp. 3-8.)

THE test of democracy in any nation or State is the number of men and women of voting age who take part, both directly and indirectly, in the direction of the affairs of government. Applying this test to the State of Oregon it will be found that she is one of the most democratic States in the Union. For, in the first place, all women of legal age may vote and hold office; in the second place, the people may, as described later in the section on the Oregon System, take a direct part in the making of the laws.

CONSTITUTIONAL GOVERNMENT

(Supplementing "American Republic," pp. 22-26.)

For many years after the first settlers came into the "Oregon Country" there was no settled government except such as was provided by the officials of the Hudson Bay Company, a semi-public British organization. This sort of government did very well as long as the population of the region consisted only of Indians, trappers, and a few scattered ranchers. But eventually it became necessary to adopt a more regular and efficient organization. The necessity came about in this way.

In 1841 an early settler named Ewing Young died leaving what was, for those days, a very considerable estate. The question arose as to what to do with his property. A probate judge was needed to take charge of the estate, but there was no such official in the whole Oregon Country. It is said that the men who attended Young's funeral passed

resolutions in favor of a provisional government and called a meeting to assemble later to consider the matter. This meeting and others were held, at one of which a committee was appointed to draw up a plan for a provisional government and to arrange for the appointment of a "supreme judge with probate power." This plan was carried out, and a judge, together with a clerk, sheriff, and two constables were appointed, who, for two years before the completion of the provisional government, constituted the actual government of Oregon.

In the spring of 1843 a series of meetings was held for the immediate purpose of protecting the livestock of the country from the ravages of wild animals. Out of these meetings came the call for another assembly to provide "for the civil and military protection of the colony," by which was meant the district lying south of the Columbia River. This meeting was held on the second of May, 1843, at Champoeg.

There were one hundred and two settlers present at this meeting, almost equally divided between Americans and French-Canadians. The latter were intensely loyal to the British Government and did not want to see the Oregon Country come under the jurisdiction of the United States. When the question of the establishment of a provisional government was put to a vote, fifty French Canadians voted in the negative, but the motion was carried by a plurality of two votes. By this slender margin did the early Oregonians decide to cast their lot with the United States.

The meeting then proceeded to appoint a committee to draw up a code of laws and a constitution. This committee reported on July fifth of the same year, and their report, which was adopted, constitutes the first constitution of Oregon. It is known as the First Organic Law. In 1845 a provisional constitution was adopted, and in 1857 the people of the Territory approved of the Constitution

which was proposed preparatory to its becoming a State. This constitution was approved by Congress in 1859, whereupon Oregon entered the sisterhood of States.

STATE AND LOCAL GOVERNMENT

(Supplementing "American Republic," pp. 51-57.)

The only important local administrative unit in the State of Oregon with any degree of independence is the municipality. Here the principle of municipal home rule has been adopted to a greater extent than in many of the States of the Union. The state Constitution provides that "the Legislative Assembly shall not enact, amend, or repeal any charter or act of incorporation for any municipality, city, or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the State of Oregon."

CIVIL RIGHTS

(Supplementing "American Republic," pp. 73-77.)

The civil rights enjoyed by the citizens of Oregon are thus stated in its constitution:

We declare that all men, when they form a social compact, are equal in right; that all power is inherent in the people, and all free government is founded on their authority and instituted for their peace, safety and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.

All men shall be secured in their natural right to worship Almighty God according to the dictates of conscience.

No law shall in any case whatever control the free exercise and enjoyment of religious opinions, or interfere with the right of conscience.

No religious test shall be required as a qualification for any office of trust or profit.

No money shall be drawn from the treasury for the benefit of any religious or theological institution, nor shall any money be appropriated for the payment of any religious services in either house of the Legislative Assembly.

No person shall be rendered incompetent as a witness or juror

in consequence of his opinions on matters of religion, nor be questioned in any court of justice touching his religious belief, to affect the weight of his testimony.

The mode of administering an oath or affirmation shall be such as may be most consistent with, and binding upon the conscience of the person to whom such oath or affirmation may be administered.

No law shall be passed restraining the free expression of opinion or restricting the right to speak, write or print freely on any subject whatever; but every person shall be responsible for the abuse of this right.

No law shall violate the right of the people to be secure in their persons, papers and effects against unreasonable search or seizure; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.

No court shall be secret, but justice shall be administered openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property or reputation.

In all criminal prosecutions, the accused shall have the right to public trial by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

No person shall be put in jeopardy twice for the same offense, nor be compelled in any criminal case to testify against himself.

No person arrested or confined in jail shall be treated with unnecessary rigor.

Offenses, except murder and treason shall be bailable by sufficient sureties. Murder and treason shall not be bailable when the proof is evident or the presumption strong.

Laws for the punishment of crime shall be founded on the principle of reformation and not of vindictive justice.

Excessive bail shall not be required, nor excessive fines imposed. Cruel and unusual punishments shall not be inflicted, but all penalties shall be proportioned to the offense. In all criminal cases whatever, the jury shall have the right to determine the law and the facts, under the direction of the court as to the law, and the right of new trial in civil cases.

In all civil cases the right of trial by jury shall remain inviolable.

Private property shall not be taken for public use, nor the particular services of any man be demanded, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

There shall be no imprisonment for debt except in case of fraud or absconding debtors.

No law shall be passed granting to any citizen or class of cit-

izens privileges or immunities which, upon the same terms, shall not equally belong to all citizens.

No *ex post facto* law, or law impairing the obligation of contracts shall ever be passed, nor shall any law be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this constitution; provided the laws locating the Capital of the State, locating county seats and submitting town and corporate acts, and other local and special laws, may take effect or not, upon a vote of the electors interested.

The operation of laws shall never be suspended except by the authority of the Legislative Assembly.

The privilege of the writ of habeas corpus shall not be suspended unless, in case of rebellion or invasion, the public safety requires it.

Treason against the State shall consist only in levying war against it or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

No conviction shall work corruption of blood or forfeiture of estate.

No law shall be passed restraining any of the inhabitants of the State from assembling together in a peaceable manner to consult for their common good; nor for instructing their representatives; nor from applying to the legislature for redress of grievances.

The people shall have the right to bear arms for the defense of themselves and the State, but the military shall be kept in strict subordination to the civil power.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

No law shall be passed granting any title of nobility, or conferring hereditary distinctions.

White foreigners who are or may hereafter become residents of this State shall enjoy the same rights in respect to the possession, enjoyment and descent of property as native born citizens. And the Legislative Assembly shall have the power to restrain and regulate the immigration to this State of persons not qualified to become citizens of the United States.

No tax or duty shall be imposed without the consent of the people or their representatives in the Legislative Assembly; and all taxation shall be uniform and equal.

This enumeration of the rights and privileges shall not be construed to impair or deny others retained by the people.

There shall be neither slavery nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted.

POLITICAL RIGHTS

(Supplementing "American Republic," pp. 80-83.)

In Oregon every citizen of the United States of the age of twenty-one or more years, who has been a resident of the State during the six months next preceding an election, is entitled to vote at that election. There is no distinction made as to sex. In 1912 an amendment was made to the Constitution of the State giving women the right to vote. It will be noticed that no foreigner may vote unless he shall have taken out his final papers, for which it is necessary that he shall have been a resident of the United States for at least five years.

Idiots, insane persons, and those convicted of an offense which is punishable by imprisonment in the penitentiary are not allowed to vote. The Constitution provides that, "In all cases except treason, felony, and breach of peace, electors shall be free from arrest in going to elections, during their attendance there, and in returning from the same; and no elector shall be obliged to do duty in the militia on any such day of election, except in time of war or public danger."

The right to hold office is enjoyed in the State by all citizens, both men and women of voting age, with the exception of certain classes of persons who are especially disqualified. Such disqualified persons are those who have given or accepted bribes to secure their election to office, those who have given or accepted a challenge to fight a duel, and those who hold a lucrative office under the United States.

OREGON IN THE NATIONAL CONGRESS

(Supplementing "American Republic," pp. 91-93.)

Like all other States, Oregon is represented in Congress by two senators who are elected "at large," that is, from the entire State at different times. She also has three

representatives in the lower house of the national legislature. The three congressional districts from which these three representatives are elected are as follows: First District comprises all of the State west of the Cascade Mountains, with the exception of Multnomah County; the Second District embraces all of the State east of the Cascades; the Third District consists of Multnomah County alone.

FEDERAL DEPARTMENTS IN OREGON

(Supplementing "American Republic," pp. 110-116.)

Treasury Department.—Connected with this department there are located in Oregon the following officials: Collector of Internal Revenue, United States Internal Revenue Agent, Collector of Customs, Appraiser, National Bank Examiner, Secret Service Operator, and Surgeon in charge of the Public Health Service. There are seven Life-saving Stations scattered along the Oregon coast under the direction of this department. They are located at the entrance to Tillamook Bay; near Fort Stevens; at Yaquina Bay; at the mouth of the Siuslaw; near the entrance of the Umpqua, at the town of Bandon, and on the south side of Coos Bay.

War Department.—Under the supervision of this department is Fort Stevens, the only coast defence in Oregon. The Quartermasters Corps and the Recruiting Office are located in Portland. Two army officers are detailed at the Oregon Agricultural College and two at the University of Oregon. Two officers of the Corps of Engineers have offices in Portland.

Navy Department.—This department maintains in Oregon a recruiting station to which are attached one lieutenant commander and an assistant surgeon. A branch of the Hydrographic Office is also maintained whose duty it is to keep mariners informed in all matters of interest to their calling.

Department of Justice.—There are in Oregon two District

Judges who hold court at Portland during March, July and November, at Pendleton during April and at Medford during October. The Circuit Court of Appeals meets in Portland during September of each year.

Postoffice Department.—This department of the Federal Government maintains in Oregon officials in charge of the Railway Mail Service Division, Postoffice Inspector, and the United States Local Board of Civil Service Examiners.

Department of the Interior.—The functions of this department in Oregon include the work of the Reclamation Service, the Geological Survey, the United States Land Office, Field Service of the General Land Office, the Surveyor General of Oregon, Indian Reservations and Schools, the Bureau of Pensions, and supervision of the Crater Lake National Park. The Reclamation Service is carrying on its work of irrigating arid lands on an extensive scale in both the eastern and southern parts of the State.

The Geological Survey makes maps of the State, computes and has charge of the natural water-power facilities.

There are seven local United States Land Offices in the State located at Portland, The Dalles, Roseburg, LaGrande, Lakeview Burns, and Vale. Each of these offices has jurisdiction over the vacant lands within its district.

The Field Service investigates all cases of fraud and violations of the land laws. It ascertains the value of the public lands and cruises and determines the value of timber. The Surveyor General's duties are indicated by his title.

There are in Oregon the following Indian Reservations: Klamath, Sile Grande Ronde, Umatilla, and Warm Springs. These reservations are occupied by nearly four thousand Indians who are all under the care of agents of the Department of Interior.

This department also has charge of the Crater Lake National Park, now famous as one of the notable wonder spots of the Nation.

Department of Agriculture.—Under the supervision of

this department there are maintained in Oregon the following activities: Weather Bureau Stations; offices of the Bureau of Animal Industry for the enforcement of the meat inspection law; operation of the Bureau of Plant Industry; the United States Forest Service; Food and Drug Inspection Laboratory; operations of the Bureau of Soils; forest insect field station under the Bureau of Entomology; national bird refuges and elk preserve under the Biological Survey; Bureau of Statistics; office of Experiment Stations for Irrigation Investigations; and a representative of the Office of Public Roads.

Of all these activities probably the most important is that of the Forest Service. There are located in Oregon the following National Forests:

Cascade—Central section of the Cascade Mountains.

Crater—Southern section of the Cascade Mountains.

Deschutes—Central section, east slope of the Cascade Mountains.

Fremont—Principally in Lake County.

Malheur—Principally in Grant and Harney Counties.

Minam—Blue Mountain section of Baker and Union Counties.

Ochoco—Blue Mountain section of Crook and Wheeler Counties.

Oregon—Northern section of the Cascade Mountains.

Santiam—Cascade Mountain section of Linn and Marion Counties.

Siskiyou—Southwestern section of the State.

Siuslaw—Coast section of Lincoln, Lane and Douglas Counties.

Umatilla—Morrow, Umatilla, Wheeler and Union Counties.

Umpqua—Cascade Mountain section of Douglas County.

Wallowa—Blue Mountain section of Wallowa County.

Wenaha—Blue Mountain section of Umatilla and Wallowa Counties.

Whitman—Grant, Union and Baker Counties.

The Forest Service patrols the forests and protects them against fire. It administers them at the expense of the United States Government for the benefit of the public. It sells the mature timber, and plants young trees on the burnt-off sections. It allots the forests for grazing purposes and leases beautiful sites for summer homes.

The other bureaus of this department also attend to the safeguarding of human life and increasing and bettering the food supply. The Weather Bureau supplies weather

reports for the farmer and warns the mariner of dangerous storms. The Bureau of Food and Drug Inspection protects the citizen from harmful foods and drugs shipped into the State. The Bureau of Biological Survey protects the flocks and herds from predatory animals, and the crops from harmful rodents and insects. The Bureau of Animal Inspection has charge of the inspection of all live stock imported into the State, to prevent the importation of diseased animals. The Bureau of Grain Standardization assists the farmer in the harvesting and handling of his crops. The Bureau of Plant Industry, in coöperation with the Oregon Agricultural College, helps the farmer in many ways by suggestions and advice. The same may be said of the Bureau of Soils. The Bureau of Entomology investigates insects injurious to forest and plant life and assists in their extermination.

The Department of Commerce in Oregon is represented by its three branches, the Bureau of Fisheries, the United States Inspection of Steam Vessels, and the Bureau of Lighthouses.

The Bureau of Fisheries sees to it that the supply of food fish shall not decrease. The Bureau of Inspection of Vessels protects the lives of passengers and crews from avoidable danger. The Bureau of Lighthouses has charge of thirty-four lighthouses and fog signal stations on the coast of Oregon and Washington, besides seven hundred minor lights, bell buoys, and other aids to navigation. It keeps in its employ in Oregon and Washington three hundred and fifty men. Three lighthouse tenders are in constant service.

The Department of Labor, through its Immigration Service, attends to the enforcement of the immigration laws and keeps out undesirable immigrants. It maintains an employment office which has done excellent work especially in finding employment for discharged soldiers. The Naturalization Service assists the Federal Courts by investiga-

tion of the qualifications of aliens seeking citizenship. It has also in connection with the public schools of the State, made plans for the education of aliens in American ideals.

THE LEGISLATIVE ASSEMBLY

(Supplementing "American Republic," pp. 135-41.)

The legislative power of the State of Oregon is vested in a Legislative Assembly, but the Constitution also provides that "the people reserve to themselves power to propose laws and amendments to the Constitution, and to enact or reject the same at the polls, independent of the Legislative Assembly, and also reserve power at their own option to approve or reject at the polls any act of the Legislative Assembly." Thus it will be seen that in Oregon there are two law-making bodies, the Legislative Assembly and the people acting directly. The first of these will be described in this section, leaving the second until later.

The Legislative Assembly of Oregon consists of two branches, the Senate and the House of Representatives. There are thirty senators and sixty representatives elected by universal suffrage. Senators and representatives must be at least twenty-one years of age. Both senators and representatives are elected from districts known as senatorial and representative districts respectively. There are twenty-four of the former and twenty-nine of the latter. These districts are made to coincide as nearly as possible with the counties of the State, but as the counties vary greatly in population, some of them have more than one member in each branch of the Legislative Assembly, whereas others have to share their representation with one or more counties. For example, Multnomah County has six senators and twelve representatives, while there is but one senator from the counties of Lincoln, Tillamook, Washington, and Yamhill combined.

Senators are elected for a term of four years and repre-

sentatives for two. The compensation for members of the Legislative Assembly is fixed by the Constitution of the State at three dollars for each day of the session. If the session lasts longer than for forty days, no pay is allowed for the extra time. The same pay is allowed for attendance at extra sessions, but no extra session shall last longer than twenty days. But one other State in the Union limits its legislature to so short a session, and no other State pays its legislators so meager a salary. The compensation remains the same to-day as it was fixed in the original constitution of the State, although repeated attempts have been made to increase it through the referendum.

The Legislature at Work.—The Legislative Assembly holds its sessions biennially at the State Capitol at Salem. The time for its meeting is the second Monday in January of each odd numbered year. The Senate and the House of Representatives are separately called to order at the time of their first meeting by the clerks of the respective houses who served in the preceding session. The Senate proceeds to elect a president and the House of Representatives a speaker. In Oregon there is no Lieutenant-Governor, as in many other States, whose duty it is to call the Senate to order.

The president of the Senate and the speaker of the House of Representatives, after appointing the numerous committees for each house, are ready to proceed with business. Bills may originate in either house, but the Constitution provides that bills for the raising of revenue may originate only in the House of Representatives. This is an old idea which has come down from the early times in the British Government through our Federal Constitution. It is really now a matter of no importance whatever whether a money bill originates in the State Senate or in the House of Representatives.

A much more important provision of the Constitution is that "Every act shall embrace but one subject, and

matters properly connected therewith, which subject shall be expressed in the title." This provision is for the purpose of forbidding "riders," that is, securing the passage of legislation, which is perhaps improper, by attaching it to a bill which is entirely proper and letting the stronger bill drag the doubtful one through.

A bill proposed by a member of either house is usually referred to one of the numerous committees which, after considering its merits, reports favorably or unfavorably, or not at all. An unfavorable report usually kills the bill, but the Legislature may call such a bill out of the hands of the committee if it so chooses. All bills must pass three "readings" before their final passage. A bill having run the gauntlet of these three "readings" in one house, is passed on to the other, and has to go through the same process there. If voted down there, that is the end of it, but if it passes, it then goes to the Governor for his signature. It may be, however, that a bill having passed one house, is changed by amendment in the other. In that case, it goes back to the house where it originated, and if passed there a second time with amendment, it goes to the Governor. If the amendment is not acceptable there, it may be voted down, or a joint committee of both houses may take the matter under consideration and try to so recast the measure that it will be acceptable to both houses, in which case it will probably be passed again.

A bill having passed both houses of the Legislature goes to the Governor for his signature. If it meets with his approval, he signs it, whereupon it becomes a law, subject to the referendum by the people; a process which will be described in the next section. If he disapproves, he vetoes the bill. It then goes back to both branches of the Legislature, and they must pass it over his veto by a two-thirds vote of each branch, failing which the bill is killed.

It should be added that in the State of Oregon there is what is known as the "Single Item Veto," by which is

meant the power granted to the Governor by the Constitution to veto any part of a bill while approving of the remainder.

If a bill is not returned to the Legislature by the Governor within five days after he has received it, it becomes law without his signature.

A majority of all members elected to each house is necessary to pass any bill. Two-thirds of each house constitutes a quorum to do business but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members.

THE OREGON SYSTEM

(Supplementing "American Republic," pp. 138-143.)

Introductory.—Within the past few years the State of Oregon has introduced into its constitution and laws certain radical innovations which have received all over the country the designation of the "Oregon System." These political experiments have been the outgrowth of a deep-seated distrust of the competency of state legislatures and the desire to put the law-making function and the control of public servants directly in the hands of the public.

The distinctive features of the Oregon System are: (1) the Initiative, (2) the Referendum, (3) amendment of the Constitution by direct action of the voters, (4) the Direct Primary, (5) the Corrupt Practices Act, (6) the Presidential Preference Primary, (7) Campaign Books (8) the Recall. These features of our system of popular government will now be described in order.

I.

The Initiative.—Under the Initiative the voters of the State may make their own laws, very much as the citizens of the Athenian Democracy made theirs. It is true that two hundred thousand voters cannot give up their daily oc-

cupations and gather from all parts of a great state to a common meeting place and take part in an election and by a *viva voce vote* decide which laws they shall adopt and which they shall reject, but they arrive at the same result in just as satisfactory a way at the polls.

The Initiative was adopted in 1902 by an overwhelming majority of the voters of the State, the vote being 62,024 for, to 5,668 against.

The following is the method by which, under the Initiative, the citizens of the State of Oregon may make their own laws:

(1) Any citizen or group of citizens having a law in mind which seems to them to be desirable may themselves or through an attorney draught the law in the form in which it is to be presented to the voters.

(2) It is then printed at the head of a number of blank petition forms, each of these petitions being made up of several sheets for the signatures which are to be sought.

(3) These petitions are then put in the hands of circulators who are usually paid a certain amount for each name which they may secure, although sometimes voluntary circulators offer their services. The number of names necessary in order to make the petition effective is eight per cent of the number of votes cast at the last general election for Justice of the Supreme Court.

(4) The necessary number of names having been secured, and affidavits having been made by the circulators that the signatures are genuine, the petitions are put in the hands of the Secretary of State, whose duty it is to see that law proposed is printed on the ballot at the next general election.

(5) All that then remains to be done is for the voters to go to the polls and legislate, voting either for or against the law, which appears on the ballot in this form:

Measure initiated by David M. Dunne, 40 17th St. N., Portland,

Oregon, Henry Hahn, 235 Cornell Road, Portland, Oregon.—
PRIMARY DELEGATE ELECTION BILL.—Its purpose is to authorize
a primary election of delegates to recommend names of persons
to be voted for at the primary nominating elections.

Vote YES or NO.

354. Yes.

355. No.

It has been argued against this method legislation that the mass of the voters are not capable of deciding as to the merits of the many and sometimes complicated laws which are submitted to them, and that there is danger of the statute books being flooded with laws which are unwise. Hostility to our Oregon System of popular government has been shown by men of two distinct types, first by the professional politicians whom it has deprived of the rich political "pickings" of the past, and second by the conservative statesmen of the old school.

An excellent example of the criticism made of our system by those of the latter class is the following made by ex-President Taft:

The Initiative, the Referendum and Recall are a complete negation of the representative system established by the Pilgrims and Puritans. They are a reversion to an earlier type of pure democracy that failed in Athens and Rome and that always has failed where it has been given a trial in any community, except a small community under peculiar conditions different from ours.

Our experience in Oregon with direct legislation would indicate that the criticism of Mr. Taft was not well founded. During the twelve years during which the Initiative and Referendum have been in use in this State it has been conclusively demonstrated that, in the vast majority of cases, the voters have not acted foolishly in voting on proposed laws; that they have not, like children with a new toy, abused their privilege. In fact, the most outstanding fact in the use which the voters of this State have made of the

Initiative and Referendum is their conservatism and that the more they employ these methods of legislation, the more conservative they become in their use. The following figures will clearly demonstrate the truth of this assertion:

DATE	Number of Laws Proposed	Number of Laws Adopted	Per Cent. Adopted
1904	3	3	100
1906	11	8	72
1908	19	12	60
1910	32	9	28
1912	36	10	27
1914	29	4	13
1916	7	3	30
1918	11	6	54

These figures show that the voters of the State have acted with moderation in the use of the initiative and referendum. The higher percentage of measures passed in 1918 is due to the fact that promoters of free measures have learned from experience not to attempt to deceive the people, and to the fact that the measures voted upon favorably in that year were of exceptional merit.

The constitutionality of the Initiative was once questioned and this very interesting question was argued before the supreme Court of the United States. A law was passed directly by the people imposing a tax on one of the public service corporations of the State. The corporation refused payment and the case was carried before the courts. It was argued that the law was unconstitutional on the ground that the Constitution of the United States guarantees to each state "a republican form of government" and that by "republican form" was meant that form where the laws are made by *representatives* of the people and not by the people themselves voting directly. The Supreme Court of this state decided against the corporation. The Supreme Court of the United States did not decide directly on the merits of the case, but threw it out of court

on the ground that they had no jurisdiction, but that the decision whether the State of Oregon had or had not a republican form of government was a matter for Congress to decide. This was in reality a permanent victory for the State, for no Congress would ever vote that direct legislation was illegal.

II

The Referendum.—The law providing for the Initiative and Referendum is prefaced by the following statement: “The people reserve to themselves the power to propose laws and amendments to the Constitution and to enact or reject the same at the polls, independent of the legislative assembly, and also reserve the power at their own option to approve or reject at the polls an act of the legislative assembly.”

This legislation was the beginning of and the opening wedge for the entire Oregon System which has worked such a revolution in popular government, not only in our own State but in many others throughout the United States.

There are two methods provided whereby a law may be referred to the people for their approval: (1) The legislature may, after voting favorably upon a law, voluntarily submit it to the people at the next election, or (2) the people may cause a law which has been favorably voted upon by the legislature to be referred to them for their approval. The method of procedure in the latter case is very much the same as that employed in the case of the Initiative, namely: (1) Petitions setting forth the law which it is desired to refer to the people must be printed and circulated at the expense of those interested in having it referred. (2) These petitions must be signed by five per cent of the number voting for Justice of the Supreme Court at the last general election in order to be effective.

(3) the necessary number of signatures having been obtained, the petition is sent to the Secretary of State, who (4) causes the law to be printed on the ballot at the next general election, at which (5) the voters decide whether they approve of it or not.

A measure thus passed by the Referendum or by the Initiative is not, like a law passed by the legislature, subject to the veto of the governor. The Constitution of the State provides that "the veto power of the Governor shall not extend to measures referred to the people."

The fact that the State of Oregon has, by the Initiative and Referendum, become a real democracy is asserted in the form of the enacting clause prefixed to all measures passed by these means, which reads, "Be it enacted BY THE PEOPLE OF OREGON."

The following are examples of the way measures referred to the people appear on the ballot. The first is that of a law voluntarily referred by the legislature, and the second of one referred to the people by petition:

REFERRED TO THE PEOPLE BY THE LEGISLATIVE ASSEMBLY

For constitutional amendment of Section 8, Article V, for the purpose of creating the office of Lieutenant-Governor who shall act as Governor in case of the inability of the Governor to perform his duties and also act as President of the Senate, and providing for the President pro tem of the Senate to act as Governor in case of the inability of both the Governor and Lieutenant-Governor and in case of the inability of the Governor, Lieutenant-Governor, and President pro tem of the Senate, the Speaker of the House to act as Governor.

Vote YES or NO.

302. Yes.

303. No.

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

An Act vesting the Railroad Commission with power and jurisdiction to supervise and regulate every public service corporation and utility in the State of Oregon, as to the adequacy of the service rendered and facilities provided, the fairness of rates, tolls, and charges to be collected from the public therefor, and also as to

interchange of business between such public service corporations and utilities, the purpose of the bill being to give the commission supervisory control over all such corporations and utilities as far as their business has to do with the general public.

Vote YES or NO.

314.	Yes.
315.	No.

III

Amendment of the Constitution.—Not only may laws be passed by the Initiative, but the Constitution of the State itself may be amended by the same process, thus allowing the people to take a direct part in the task of constitution-making and at the same time eliminating constitutional conventions and curtailing still further the power of the legislature. The method of thus amending the Constitution by direct vote of the people is the same as that already described for passing laws by the Initiative.

The practical result of the exercise of this power by the people has been to aggravate the tendency which has been common in the states, especially of the West, to make of their constitutions very lengthy documents, much longer and more complicated, it seems to some critics, than they need be. Another result, which is the corollary of the one just mentioned, has been to insert into the Constitution clauses which might perhaps be better classed as laws. The following is an example of a constitutional amendment proposed by the Initiative:

PROPOSED BY INITIATIVE PETITION

Initiated by authority of Mrs. Jean Bennett, 429 E. Morrison St., Portland, on behalf of Universal Eight Hour League.—UNIVERSAL CONSTITUTIONAL EIGHT HOUR DAY AMENDMENT.—Its purpose is to add Section 9 to Article XV of the Oregon Constitution prohibiting any man, woman, boy or girl, from being employed more than eight hours in any one day, or forty-eight hours in any one week, in any trade, business or profession, or on any farm, or in domestic service, or in any kind of employment whatever, skilled

13	BURKE, THOS. CARRICK Of Baker County	
14	COLE, BARTLETT Of Multnomah County	Will vote for Oregon's choice at Baltimore.
15	EDMUNSON, LEON R. Of Lane County	
16	GODFREY, JAMES E. Of Marion County	Desire to support a candidate who has always stood for Democratic principles.
17	GOSS, JOHN D. Of Coos County	I will faithfully carry out the spirit and letter of my oath.
18	HOLMAN, FREDERICK V. Of Multnomah County	Democrats should nominate a Democrat who can be elected President.
19	HOLMES, MARK Of Polk County	Progressive Democracy. Presidential preference subject to the will of the Democratic majority.
20	JEWELL, STEPHEN Of Josephine County	
21	KADDERLY, A. A. Of Multnomah County	Will support choice of the Democrats of Oregon, expressed at primary election.
22	KING, WILL R. Of Multnomah County	For the people's choice.
23	MALONEY, JAMES W. Of Umatilla County	I am a Democrat. Will support my party's choice for President.
24	MOSES, VICTOR P. Of Benton County	In principle progressive, decidedly Democratic and always active in its advocacy.
25	REYNOLDS, FRANK H. Of Multnomah County	
26	SHEAHAN, DANIEL W. Of Wallowa County	Will carry out wishes of Democratic party as expressed at primary election.
27	SHERMAN, CHARLES W., SR. Of Klamath County	Equality to all; special privileges to none.

The delegates thus chosen are supposed to vote in the

nominating convention for that candidate for President who has received the largest vote cast by their party in the primaries of their respective States. I used the word "supposed" advisedly, for this is the one weak spot in this law. There is no way provided to compel a delegate to carry out the wishes of his party as expressed at the primary. An incident which occurred in 1912 will illustrate the ineffectiveness of the Presidential Preference Primary in this respect. Among the delegates elected by the Republicans to their party nomination convention at Chicago was one who for months before the primary election had publicly and noisily advocated the nomination by his party of Senator LaFollette for the presidency. It was no secret that he wanted LaFollette and would vote for LaFollette if elected as a delegate to the convention. At the primaries the voters of the Republican party expressed their choice for Roosevelt for the presidency, but inconsistently, at the same time, chose this supporter of LaFollette as one of their delegates. Upon his arrival at Chicago this delegate voted consistently for LaFollette rather than for Roosevelt. During the campaign that ensued, Mr. Roosevelt, while in Portland, called this delegate a traitor and sundry other bad names and the delegate answered Mr. Roosevelt in kind. It would seem that the law rather than the delegate was at fault.

As the law now stands, it is to be expected that the delegates from this State will, if the candidates for whom they are pledged is in a hopeless minority, change their vote and violate their instructions.

The third feature of the Presidential Primary Law is the nomination of the Presidential electors. Those desiring to serve their country in this capacity get their names on the ballot in the usual way, and at the primary, the voters of the several parties choose the five candidates from each. This is the way this part of the ballot appeared at the election of 1912:

DEMOCRATIC

FOR ELECTORS OF PRESIDENT AND VICE-
PRESIDENT OF THE UNITED STATES VOTE FOR ONE

- 35 McLAIN, HUGH
Of Coos County
-
- 36 PETERSON, WILL M.
Of Umatilla County
-
- 37 WALL, JOHN M.
Of Washington County
-
- 38 WATSON, D. M.
Of Multnomah County
-
- 39 WHITTEN, F. C.
Of Multnomah County
-

REPUBLICAN

FOR ELECTORS OF PRESIDENT AND VICE-
PRESIDENT OF THE UNITED STATES VOTE FOR ONE

- 33 MAC MAHON
Of Multnomah County
-

It will be noticed that but one Republican took the trouble to get his name placed upon the ballot, and that barely the requisite number of Democrats offered themselves for the nomination. This is an excellent illustration of the fact that the office of Presidential elector, which the framers of the Federal Constitution looked upon as of such great importance, is now considered as neither useful nor ornamental.

VI

The Corrupt Practices Act.—The Corrupt Practices Act is a necessary adjunct to the Direct Primary. It is designed, not so much as its title would indicate, to prevent fraud in elections, as it is to secure for all candidates the equality of opportunity. This act fills several pages of the Oregon Code, and treats of a wide variety of subjects, among them being anonymous publications, electioneering on election

day, campaign advertisements in newspapers, campaign expenses of candidates, and campaign books. The act also provides penalties for the infraction of its provisions.

The object of the Corrupt Practices Act is not only to prevent the illegal means so often employed in the past in order to secure nomination or election, but to make it possible for the poor man to carry on a campaign upon more equal terms with his wealthy competitor. With this object in view, it is provided that no candidate shall spend more than a certain prescribed sum in the prosecution of his campaign which sum is set at fifteen per cent. of the first year's salary attached to the office sought by the candidate. Every candidate is, however, allowed to spend at least one hundred dollars.

Any money spent by the father, son, sister, uncle, aunt, nephew, niece or wife of a candidate or by his partner, employee, employer, fellow official or fellow employee is, under the law, deemed to have been expended by the candidate himself. This is, of course, to prevent indirect violation of the law. Committees of political parties are, however, allowed to spend all they wish to further the nomination or election of a candidate, and this leaves a large loophole for the evasion of the act. Furthermore, there is no limit set to the amount which may be expended in order to further the passage or the defeat of bills proposed through the initiative and referendum.

All candidates must within fifteen days after the election in which they have participated file a properly attested, itemized statement of the expenses which they have incurred during the campaign. Appropriate penalties are provided for delay or non-compliance with this section of the law.

Another feature of this act is the prohibition of the publication by newspapers or other periodicals of any paid articles advocating or opposing any candidate or measure unless the fact that such articles have been paid for as

or unskilled, mental or physical, within the State of Oregon. This law applies to children and other relatives of the employers, and provides penalty for violation thereof.

Vote YES or NO.

320. Yes.

321. No.

IV

The Direct Primary.—Before the Direct Primary Law was adopted in 1904, party nominees were selected by party conventions over which the voters had virtually no control. These conventions gave full play to bribery, corruption and all kinds of political trickery. They were sometimes disgraced by most shameless scenes of violence. The candidates chosen by them were usually their political bosses or their tools, and in no way represented the rank and file of the political party whose candidates they were.

Under the Direct Primary the voters of the several parties select their own candidates. Not every group of citizens calling itself such is in reality a political party in the eyes of the Direct Primary Law. Any political group casting twenty per cent of the entire vote for presidential electors at the last preceding general election must nominate its candidates under the Direct Primary Law at the biennial primary election. It is not a privilege of a party to nominate its candidates under the Direct Primary Law. It becomes mandatory when the party vote reaches the number specified.

In all primary elections held previous to 1914 the Democratic and Republican parties were the only ones allowed to participate. In the election of 1914 the Progressives also took part. Thus it will be seen that the Socialist and Prohibition parties cannot participate in the primaries as yet, but must nominate their candidates by the old convention methods.

The mode of procedure in making nominations under the Direct Primary Law is as follows:

(1) Citizens wishing to "run" for any office circulate petitions in order to secure appended thereto the signatures of those presumably desiring their nomination. Such signers must be registered voters. The number of signatures required for each petition in order that the aspirant's name be placed on the primary ballot as the candidate of his party varies according to the importance of the office sought. The number of names is two per cent of the party vote in the district, whether it be city, county, congressional district or state at large, from which the aspirant desires the nomination.

Moreover, in order that the petition may be in the nature of a real demand that the aspirant be a candidate, the names must be secured from somewhat widely scattered parts of the district from which he seeks the nomination. Thus, a candidate for a city or county office must secure signatures from at least one-fifth of the precincts in the city or county. A candidate for nomination as Congressman must secure at least one-eighth of the precincts in at least two counties of his district. A candidate for a state office, for example, governor or secretary of state, must get his signatures from at least one-tenth of the precincts in at least one-fourth of the counties of the State.¹

The following is the form of petition employed by prospective candidates for elective offices:

To (Secretary of State for Oregon) or to

¹ At the 1915 session of the Oregon state legislature a law was passed providing that candidates for nomination at the primary election may file their nominations by paying a fee, instead of by petition as described above. The fees range from \$150 for a candidate for United States Senator down to \$5 for a district office within a county. It is provided, furthermore, that in the declaration to be filed by a candidate he must pledge himself not to become a candidate of any party if he should fail to secure the nomination from his own party.

..... (County Clerk for the County of, Oregon) or to (City Clerk of the City of) as the case may be: We, the undersigned, registered members of the Party, and qualified electors and residents of precinct in the County of, State of Oregon, respectfully request that you will cause to be printed on the official nominating ballot for the Party at the aforesaid primary nominating election, the name of the above signed as a candidate for nomination to the office of by said party.

Name	P. O. Address	Street and Number	Precinct
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STATE OF OREGON.

County of ss.

I,, being first duly sworn, say: I am personally acquainted with all the persons who have signed this sheet of the foregoing petition, and I personally know that their signatures thereon are genuine; and I believe that their postoffice addresses and residence are correctly stated, and that they are qualified electors and registered members of the Party.

(2) The requisite number of names having been affixed to the petition and the genuineness of the signatures having been vouched for by affidavit, they are sent to city or county auditor or to the Secretary of State as the case may be and

(3) It is his duty to see that the candidate's name appears upon the party ballot at the forthcoming election.

(4) Finally comes the primary election which is held in May in odd years for city elections, in even years for all others. At this election the voters of the several parties go to the polls and choose whom they wish to be their party nominees.

The following is a portion of a ballot used at a primary election:

FOR MEMBER OF THE REPUBLICAN NATIONAL COMMITTEE		VOTE FOR ONE
12	ACKERSON, CHARLES W. Of Multnomah County	Oppose steam roller and corporation control in National Committee. Favor Presidential primary.

13 WILLIAMS, RALPH E.
Of Multnomah County

Stand for best interest Repub-
lican party, both State and
National.

The voters, however, must previously have "registered," otherwise they are not allowed to participate in the primary election. That is, they must have gone to the County Court House and had their names and addresses enrolled, at the same time declaring their party affiliation. If a voter declares himself to be a Prohibitionist or a Socialist, or states that he is an Independent, he is not allowed to vote at the primaries. The primary elections are looked upon as "family affairs" of the three principal parties, and as such the intention is to prevent the interference of outsiders into these "family affairs."

The chief argument against the direct primary and in favor of the old convention system is that because of the unrestricted opportunity that it gives for anyone to run for office, many men get their names on the primary ballot who are unworthy and incompetent, and the mass of the voters, being ignorant of the qualifications of the aspirants, frequently elect men to office who should have been left to the obscurity of private life. It is true that this has happened, but when we see the peaceful and orderly way in which our candidates are nominated under the present system and compare it with the scandals of the old, it seems that the good effects of the former outweigh its shortcomings.

V

Presidential Preference Primary.—The law providing for the Presidential Preference Primary was adopted by the people in 1910 and was put in practice for the first time in April, 1912. The object of this law is to allow the voters of each party which participates in the primaries to instruct the delegates of that party to the National Nominat-

ing Convention as to whom they shall vote for for the presidential and vice-presidential nominee of that party at the convention.

Previous to the passage of the Presidential Preference Primary Law, the delegates to the National Conventions were chosen by party conventions in the several states and in reality they represented merely the politicians, rather than the rank and file of the voters of their party. If the provisions of our Oregon Law were in general use throughout the United States, the result would be that the National Nominating Conventions would become, like the Electoral College, merely machines for registering the will of the voters of the several parties. There are, however, some difficulties in the way of the accomplishment of this object, which we shall see later.

There are three features of the Presidential Preference Primary Law to be considered.

(1) The voters of each party may, at the primary election next preceding the presidential election, express their preference for the nominee of their party for the presidency and vice-presidency of the United States. The ballot at the 1912 election appeared as follows:

	FOR CANDIDATE FOR NOMINATION FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES		VOTE FOR ONE
--	---	--	--------------

30	LA FOLLETTE, ROBERT M. Of Madison, State of Wisconsin
----	--

31	ROOSEVELT, THEODORE Of Oyster Bay, State of New York
----	---

32	TAFT, WILLIAM HOWARD Of Cincinnati, State of Ohio
----	--

	FOR CANDIDATE FOR NOMINATION FOR THE OFFICE OF VICE-PRESIDENT OF THE UNITED STATES		VOTE FOR ONE
--	--	--	--------------

It will be noticed that there were no names presented

for the office of vice-president. Nobody of either party in 1912 took the trouble to get placed upon the Primary Ballot the names of prospective candidates for the vice-presidency. This is a concrete example of the neglect which is shown for this high office. The Twelfth Amendment to the Federal Constitution is largely responsible for the lack of care which is customarily shown every four years in the choice of the vice-president.

The candidate for president or vice-president of the United States may have his name printed on the official primary ballot of his party at his own request or upon the petition of a thousand of his supporters who are registered voters of the party to which the candidate belongs.

The voter, as in the case of all primary elections, may, if he chooses, write in the name of the candidate of his choice. He who receives the highest number of votes of each party becomes the choice of the members of that party in this State for the Presidency.

(2) The voters of each party also at the same election cast their ballots for delegates to their party nominating conventions, choosing from among those who have offered themselves for that position ten men¹ to represent them. The voter in each Congressional District votes for two delegates from his own district, and four from the State at large. The ballot for delegates to the nominating conventions in the election of 1912 appeared as follows:

UNITED STATES

FOR DELEGATES TO THE NATIONAL DEMOCRATIC CONVENTION

VOTE FOR ONE

12 BENNETT, A. S.
Of Wasco County

For progressive Democracy; the
hope of the Common people.

¹ It is the custom of the great parties to have each State represented in the National Nominating Conventions by a number of delegates equal to twice the number of representatives and senators combined from that State.

advertising matter is plainly stated. In order still further to ensure a fight for nomination between candidates which shall be open and aboveboard, the circulation of any anonymous publication for or against any candidate or measure is prohibited.

The ban of the law is also placed on any sort of electioneering on election day.

The Corrupt Practices Act also contains minute directions relative to the publication and distribution of campaign books before the primary and general elections.

VII

Campaign Books.—The success of our Oregon System of direct control by the voters over the functions of government depends, in large measure, upon the intelligent use made by the voters of the privilege of direct action which they have taken into their hands. With the object of enlightening the voters as to the measures which are to be submitted to them and of making them acquainted with the merits of the candidates who have offered themselves for nomination and election, another unique feature of our system has been adopted. This is the publication of campaign books. They are of two sorts, one dealing with men and the other with measures.

STATEMENTS OF CANDIDATES

11

WOODROW WILSON

Of New Jersey

DEMOCRATIC CANDIDATE FOR PRESIDENT

THOMAS R. MARSHALL

Of Indiana

DEMOCRATIC CANDIDATE FOR VICE-PRESIDENT

WOODROW WILSON

In Woodrow Wilson the Democratic party has a nominee for the Presidency whom it presents to the country in full assurance that he is, in a peculiar manner, the choice not only of the voters of the party, but also of thousands who have heretofore voted another ticket.

The stirring and splendid fight which brought Governor Wilson

the Democratic nomination for the Presidency at Baltimore, the wisdom, the plain sense and the quiet power of the man, the fellowship with the common lot and the common life which he has kept unbroken throughout his career, the friends he has won and the enemies he has made, all conspire in an appeal to thoughtful and patriotic men of every party and every class which can hardly be resisted. The barest sketch of his life considerably read is more impressive than any abstract argument.

Woodrow Wilson was born in Staunton, Virginia, in 1856. His family was of sound pioneer stock. James Wilson, his grandfather, who immigrated more than a hundred years ago, was a pioneer who set type on and later became the publisher of a paper of which Thomas Jefferson was one of the owners. The whole life of Woodrow Wilson as a student, author, college lecturer, and university president, and as Governor of New Jersey has worked in a marvelous way to fit him for the best and arm him against the worst in the great office which he is to fill.

(This information furnished by B. E. Haney, Chairman Democratic State Central Committee of Oregon.)

Some time before each primary election the voters of each party receive by mail a pamphlet containing information about such members of that party as have offered themselves for nomination. This information is supplied by the candidates themselves or by their friends. The expense of publication is borne in part by the candidates. In the case of nominees for the presidency, under the Presidential Preference Primary Law, however, the expense is borne by the State. On page 16 is a facsimile of the title page of the pamphlet sent to the voters before the general election held in 1914.

A booklet similar to the one just described is, between the primaries and the general election, put in the hands of every registered voter in the State wherein are set forth the merits of the candidates of the several parties who have been successful at the primary election. Above is an extract from the campaign book of 1912.

The Secretary of State also before each general election sends to each registered voter of the State a booklet containing the text of all laws submitted to the people by the Initiative or Referendūm, together with such arguments

for or against them as individuals or organizations see fit to submit. The cost of printing such arguments as well as the cost of their distribution is borne in part by those submitting them, in part by the State. The two following extracts from the book of 1914 show how first an amendment to the State Constitution is set forth and second, how an argument opposing a bill is presented:

(On Official Ballot, Nos. 342 and 343)

AN AMENDMENT

To the Constitution of the State of Oregon to be submitted to the legal electors of the State of Oregon for their approval or rejection at the REGULAR GENERAL ELECTION to be held NOVEMBER 3, 1914, to amend Section 6, of Article VI, of the Constitution of Oregon, proposed by initiative petition, filed in the office of the Secretary of State, July 2, 1914.

The following is the form and number in which the proposed amendment will be printed on the official ballot:

Proposed by Initiative Petition.

Constitutional Amendment initiated by R. P. Rasmussen, Corbett, Oregon, W. M. Davis, 138 Laurelhurst Avenue, Portland, Oregon.
 —COUNTY OFFICERS' TERM AMENDMENT.—Its purpose is to amend Section 6 of Article VI of the Constitution of the State of Oregon, so as to make the terms of county clerks, treasurers, sheriffs, coroners and surveyors, four years each instead of two years, including those which may be elected at the regular November, 1914, election.

Vote YES or NO

342 Yes

343 No

PROPOSED CONSTITUTIONAL AMENDMENT

Section 6, Article VI, of the Constitution of the State of Oregon shall be and hereby is amended to read as follows:

Section 6. County Officers:

There shall be elected in each county by the qualified electors

thereof at the time of holding general elections, a county clerk, treasurer, sheriff, coroner and surveyor, who shall severally hold their offices for the term of four years, and the term of all such county officers elected at the regular November, 1914, election shall be four years.

(On Official Ballot, Nos. 352 and 353)

ARGUMENT (Negative)

Submitted by The Non-Partisan League, opposing the proposed

DEPARTMENT OF INDUSTRY AND PUBLIC WORKS AMENDMENT.

This bill is a Socialistic measure, endorsed by a few theorists who have never come into personal contact with the unemployed. We regret that conditions at any time make it impossible for anyone to find work, who wants it, but we think it better to correct these conditions than it is to offer any inducements to be idle.

The way to correct these conditions, is to make laws such as to offer inducements for more manufacturers, more farmers to come here—we want men who will create employment by utilizing the natural resources of this State.

Although we believe this law is not in any sense for the good of Oregon, we would like to find any conceivable reason for the State of Oregon creating an employment bureau for the unemployed of all the other States of the Union. The winter climate of this State is so much better than that found in many other places, that we feel the added inducement of an easy job at

three dollars per day of eight hours is quite unnecessary for us to offer as an inducement to the idle hordes of other States.

The farmer to-day has great difficulty in getting enough men to harvest his crops—what will he do when the State offers these men employment at three dollars for eight hours?

Incidentally, the method of getting the money to pay all who want work is indicative of the source of the bill. The very modest suggestion that the tax start with a minimum of ten per cent, indicates the intention of taking the whole thing before they get through with it.

Instead of passing laws like this, which drive money away from the State, let us do all we can to get it here and protect it after it is here, so that all lines of industry may thrive—then we will not have any unemployed for which to provide.

NON-PARTISAN LEAGUE,

By GEORGE C. MASON,
Manager.

With these books in his hands the voter may study the relative merits and demerits of the candidates and measures submitted for his approval and may be prepared to vote intelligently upon them at the polls.

VIII

The Recall.—The Recall, adopted in 1908, is a method whereby public officials who have not proved satisfactory to the voters who elected them may be removed and others put in their places at any time. Hitherto, unless an officeholder committed some offense which legally entailed the

forfeiture of his office, there was no way of getting rid of him until the expiration of his term made it possible to elect another in his place. Now every official in the State is subject to Recall.

The method prescribed by law for the removal of a public official by this method is as follows: (1) Those desiring the removal of an office-holder must first circulate petitions for his recall, which petitions must state the reasons alleged for such recall.

(2) This petition, in order to be effective, must be signed by at least twenty-five per cent. of the number voting for Justice of the Supreme Court of the State at the preceding general election.

(3) After the requisite number of signatures has been secured and the petition has been filed with the proper authority, city auditor, county auditor, or secretary of state, as the case may be, the official against whom the recall has been invoked may, if he chooses, resign.

(4) If he does not resign within five days after the filing of the petition, a special election shall be called, this election to be held not later than twenty days after the filing of the petition.

(5) On the ballot used at this election the reason for the recall shall be set forth in not more than two hundred words. The incumbent of the office is also given the opportunity to answer these charges in the same number of words.

(6) Other candidates may by petition become candidates for the position held by the person whom it is sought to recall, and their names may appear on the same ballot.

(7) The person receiving the highest number of votes at the special election shall serve out the remainder of the term, whether he be the incumbent or another.

(8) A second recall may not be invoked against the same official during his term of office, unless a bond be given by the person or persons desiring such recall to en-

sure the payment of all expenses connected with the recall election.

This last provision is one that will probably prevent many attempts at the second recall of an official during the same term of office as the expense is not one lightly to be incurred. The cost of a Portland city election is now about twenty-five thousand dollars.

It is expected that the effect of this measure will be to ensure in public officials the faithful performance of their duties. It is, however, this, more than any other feature of our Oregon System of popular government that has aroused the most unfavorable criticism. This is what ex-President Taft has to say about it. "The Recall is an institution calculated to take all the courage and stiffening out of public officials and to make the agents of the public jelly fish in the most constructive work intrusted to them in doing the business of the people. It has the strongest tendency to limit the public servants to a listless and colorless performance of their duties in order not to arouse the enmity of any one."

As a matter of fact, the Recall has been invoked very little during the eleven years since its adoption. The experience of this State in the use of the Recall seems to show that the voters act with the same good judgment that they have shown in the use of the Initiative and Referendum.

At a special municipal election held in Portland on October 27, 1914, an attempt was made to recall the mayor and two of the remaining commissioners. All three of these officials were retained in office by decisive majorities. The following excerpts will illustrate what has been said about the methods employed in a recall election:

REASONS FOR DEMANDING RECALL OF H. R. ALBEE, MAYOR.

(1) He has violated his oath of office and the City Charter by retaining his position as General Manager of an insurance company

since his election as Mayor of Portland. This amounts to using his official position as Mayor to increase the business of his insurance company.

(2) He is unfit for office because he is entirely lacking in efficiency and stability and during his administration his wabbling policies have been detrimental to the business and industrial life of the community.

(3) Under his administration many competent and worthy employees of the city have been discharged without just reason and contrary to the spirit of the civil service law.

(4) His management of the city business is extravagant.

MAYOR H. R. ALBEE'S JUSTIFICATION OF HIS COURSE IN OFFICE.

He has fulfilled his pledge to the people, given before his election, to devote his time, energy and talents, to the best of his ability, for the general public welfare. The city business has been so economically conducted that a large saving in operating expenses has been made, and there will be lower taxes for municipal purposes next year as a result.

MARK CROSS (X) BETWEEN THE NUMBER AND ANSWER VOTED FOR

SHALL H. R. ALBEE BE RECALLED FROM THE OFFICE OF MAYOR?

20 YES

21 NO

MAYOR—ONE TO BE ELECTED

Names of Candidates	First Choice	Second Choice
12 H. R. ALBEE		
13 B. E. KENNEDY		
14 EUGENE E. SMITH Reduce taxes; protect the home; justice to workers; efficient service; personal liberty.		

Popular Government Elsewhere Than in Oregon.—Although Oregon was not the first to experiment with all the features of popular government which have been described, nevertheless, she has employed them more thoroughly and consistently than any other State and has in reality been the pioneer in this method of government. This is evidenced

by the fact that our method of popular control over the functions of government is known far and wide as the "Oregon System." The Initiative and Referendum have been in use in Switzerland for many years. Of the States of this country, South Dakota was the first to adopt the Initiative and Referendum in 1898. She made very little use of them, however, for several years after their adoption.

The following table will show the features of the "Oregon System" now in force in other States of the Union:

Iowa	Referendum (on franchise grants in cities).
South Dakota	Initiative, Referendum and Recall.
Nevada	Initiative, Referendum and Recall.
Montana	Initiative.
Oklahoma	Initiative and Referendum.
Maine	Initiative and Referendum.
Missouri	Initiative and Referendum.
Michigan	Initiative, Referendum and Recall.
Arkansas	Initiative and Referendum.
Colorado	Initiative, Referendum and Recall.
Arizona	Initiative, Referendum and Recall.
New Mexico	Referendum.
California	Initiative, Referendum and Recall.
Ohio	Initiative and Referendum.
Nebraska	Initiative and Referendum.
Washington	Initiative and Recall.
North Dakota	Initiative and Referendum.
Maryland	Referendum.

THE STATE EXECUTIVE

(Supplementing "American Republic," pp. 144-148.)

The executive power in Oregon is vested solely in a Governor. There is no Lieutenant Governor. It is the duty of the Governor to see that the laws are faithfully executed. He is elected for a term of four years. In case of his death or disability before the expiration of his term of office, the Secretary of State becomes Governor. To be eligible to the office of Governor, one must be at least

thirty years of age, must be a citizen of the United States and must have been a resident of the State for at least three years preceeding his election.

He may from time to time give to the Legislature information concerning the condition of the State, and recommend such measures as he may deem to be expedient. He may convene the Legislature in extra session and shall then state to both houses the purpose for which they are convened. It is his duty to transact all necessary business with the officers of the State government, and he may require information of them in writing upon any subject relating to their duties.

The Governor may grant reprieves, commutations of sentences and pardons after conviction for all offenses save treason, in which case he may suspend the execution of the sentence until the Legislature shall consider the matter.

When, during a recess of the Legislative Assembly, a vacancy occurs in an office, the appointment to which is vested in the Legislature, or when a vacancy occurs in any other elective state office, or in the office of Judge of any court, the Governor may fill such vacancy by an appointment which expires when a successor has been elected.

The Governor is Commander in Chief of the military and naval forces of the State except when they are in the service of the United States.

ADMINISTRATIVE OFFICERS

(Supplementing "American Republic," p. 148.)

The principal administrative officers of the State are the Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction, Dairy and Food Commissioner, State Engineer, Labor Commissioner, three Public Service Commissioners and Superintendent of Water Division, all of whom are elective. There are in ad-

dition the following officers who receive their positions by appointment:

Adjutant General.
 Clerk of State Land Board.
 Clerk of Supreme Court.
 Corporation Commissioner.
 Deputy Sealer of Weights and Measures.
 Industrial Accident Commissioners. (Three)
 Insurance Commissioner, and Fire Marshall.
 Librarian of Supreme Court Library.
 Master Fish Warden.
 Private Secretary to the Governor.
 Secretary, Board of Control.
 Secretary, State Fair Board.
 Secretary, State Printing Board.
 State Bacteriologist.
 State Forester.
 State Game Warden.
 State Health Officer.
 State Highway Commissioners. (Three)
 State Librarian.
 State Parole Officer.
 State Printer.
 State Tax Commissioner.
 State Veterinarian.
 Superintendent of Banks.
 Supreme Court Reporter.

STATE BOARDS AND COMMISSIONS

Besides the officials mentioned above there are the following Boards and Commissions whose services are required for the conduct of the business of state government in Oregon:

Oregon State Board of Control.
 State Land Board.
 Desert Land Board.
 State Tax Commission.
 Emergency Board.
 State Printing Board.
 State Banking Board.
 Board of Education.
 Public Service Commission of Oregon.
 State Industrial Accident Commission.
 State Board of Fish and Game Commissioners.

State Water Board.
Parole Board.
State Board of Forestry.
State Board of Health.
Industrial Welfare Commission.
Board of Inspectors of Child Labor.
Oregon Conservation Commission.
Oregon State Library.
State Board of Accountancy.
State Board of Barber Examiners.
State Board of Chiropractic Examiners.
State Board of Dental Examiners.
State Board of Eugenics.
State Board of Horticulture.
Irrigation Securities Commission.
State Live Stock Sanitary Board.
State Board of Medical Examiners.
State Board for Examination and Registration of Graduate Nurses.
Oregon State Board of Examiners in Optometry.
Oregon Board of Pharmacy.
Oregon State Board of Pilot Commissioners.
Board of Commissioners for licensing Sailors' Boarding Houses.
Stallion Registration Board.
Oregon State Veterinary Medical Examining Board.
State Board of Text-book Commissioners.
Board of Higher Curricula.
Securities Commission.
State Pure Seed Board.
State Lime Board.
Oregon Geographic Board.

For the duties of these Boards and Commissions the student is referred to the Oregon Blue Book.

THE STATE JUDICIARY

(Supplementing "American Republic," pp. 151-156.)

The Constitution provides that there shall be for the administration of justice a Supreme Court, Circuit Courts, County Courts and Justices of the Peace. There are also municipal courts in cities, and, in Multnomah County, there is the Court of Small Claims and the Court of Domestic Relations. There are at present seven Justices

of the Supreme Court. They are chosen by election for a term of six years. Their authority extends to the revision of decisions handed down by the Circuit Courts. The sessions of the Supreme Court are held at Salem and at Pendleton.

Court is held in seventeen Judicial Districts. Multnomah County, the Fourth Judicial District, has six Circuit Court Judges. The Circuit Courts have jurisdiction over all civil and criminal cases above that of the Justices' and Municipal Courts, and of all cases appealed from these courts.

No person can be charged with any criminal offense or misdemeanor before any Circuit Court unless he be first indicted by the grand jury. Grand juries are chosen in each county, consisting of seven men of whom five must agree in order to render what is called a "true bill," that is, to formally accuse the suspected person. Every person so accused is entitled to a trial by a jury of twelve men.

In all cases where the amount involved exceeds twenty dollars—except a limited class of cases which come within what is known as "equitable jurisdiction"—the right to trial by jury is preserved. In the Constitution of Oregon it is provided that in civil cases three-fourths of the jury may render a verdict.

The Justices of the Peace try cases of minor importance such as drunkenness, assault and battery, disturbance of the peace, and other offenses punishable by small fines or short terms of imprisonment. They also have jurisdiction over civil cases involving small sums. Justices may also perform the marriage ceremony.

The Small Claims Court, the Court of Domestic Relations and the County Court will be described in later sections.

COUNTY GOVERNMENT

(Supplementing "American Republic," pp. 158-164.)

Within the State of Oregon there are but two lesser administrative units, namely: the county and the city. There is no town government as in the New England States, nor is there a township government as in many of the States in the Middle West. This feature of Oregon government is due to the fact that the ideas of local administration were inherited from the South by way of Missouri whence many of the founders of the State migrated.

There is but one *County Auditor* in the State, in Multnomah County. He is the county bookkeeper, and his duties are to examine all claims against the County and to present them to the County Commissioners when approved. He keeps an account with each department of the county government and checks the deposits made with the County Treasurer by the various county officers.

The *County School Superintendent* apportions all State and county school funds to the various districts of his county; he holds annual teachers' institutes and at least three local institutes for the instruction of teachers; he visits schools, takes counsel with school officers regarding the most efficient management of their schools, and performs many other duties which usually devolve upon this office.

There is also a *County Surveyor* and a *County Coroner*, whose duties are the same as those of similar officials elsewhere. In Oregon counties there are in addition to the above, a *County Health Officer*, a *County Veterinarian*, and a *County Fruit Inspector*, whose duties are implied in their titles.

Another office, newly created, is that of the *Court of Domestic Relations* (in Multnomah County) which has

jurisdiction over all those cases involving minors, and takes over all the duties which formerly devolved upon the County Judge, leaving him only Probate business to attend to.

There is also in Multnomah County the *Small Claims Court*, which is designed to dispose of litigation involving sums not in excess of twenty dollars. There suitors may present their claims upon the payment of a fee of seventy-five cents. No lawyers plead before this court, but suitors present their own claims which are heard and decided then and there by the District Judge who presides over this court. These District Judges also preside over the Justices' Courts.

The following are the judicial and administrative bodies and officers of Oregon counties: *The County Court* is the administrative center of the county government. In all counties, except Multnomah, it is composed of a county judge and two commissioners. This court has supervision over the expenditure of the county's money; it has charge of roads and bridges, their construction, improvement and repair; has supervision of the county poor farm; levies taxes; appoints all election officials, fixes polling places, and establishes election precincts.

In Multnomah County the County Judge transacts only probate business, that is to say, business connected with wills, estates and the like, while three County Commissioners attend to the administrative work of the county.

The Justices' Courts are presided over by the Justices of the Peace. In Multnomah County instead of Justices of the Peace are District Judges with powers somewhat greater than of the Justices in other counties of the State. The Justices have jurisdiction over cases not exceeding \$250 in value, cases of assault and battery, and misdemeanor.

The *County Clerk* combines the duties of the clerk of

the Circuit, Probate, and County Commissioners' courts, County Auditor and Recorder. Multnomah County, however, has a separate Auditor and in Benton, Clackamas, Jackson, Marion, Umatilla, Union, Washington and Yamhill counties separate Recorders are elected.

The *Sheriff* is the chief executive officer of the county. His duties are similar to those of chief of police in cities; he sees that the laws are enforced and is entrusted with the collection of taxes. The *County Treasurer* is the custodian of all county funds; is trustee of all trust funds, such as estates, fines and bail money.

It is the duty of the *County Assessor* to assess all taxable property within the county except the property of public service utilities, such as street railways, etc., which are assessed by the State Tax Commission.

HOW THE CITY OF PORTLAND IS GOVERNED

(Supplementing "American Republic," pp. 177-183.)

The City of Portland has the Commission form of government. The entire business of the city government is carried on by five Commissioners, one of whom is called the Mayor. The Mayor presides over the meetings of the Commission but has no veto power. He assigns the other four commissioners to their respective commissions, choosing whichever one he wishes for himself. The Mayor receives a salary of \$6,000 a year. Each of the other Commissioners receives a salary of \$5,000.

The business of administering the government of the City of Portland is divided among the following commissions: (1) Public Safety. (2) Public Utilities. (3) Public Works. (4) Public Affairs. (5) Finance.

I. *The Commissioner of Public Safety*, who since the organization of the commission form of government for Portland, has been the choice of the Mayor, has charge of the Bureau of Police, the Municipal Court, the Office of the

City Attorney, the Bureau of Parks, and the Board of Motion Picture Censors.

In the employ of the Police Department under the immediate control of the Chief of Police are some three hundred men and women captains, lieutenants, sergeants, patrolmen, detectives, jailors, matrons, etc. The value of the property requisite for the maintenance of this department is \$417,796. There is spent yearly in carrying on its activities the sum of more than \$575,000. Some idea of the multiform activities of this department may be had from the following figures from the report for the year ending November 1917.

Cases reported	2,470
Cases cleared up	1,345
Missing persons located	238
Criminal circulars indexed	4,000
Value of stolen property recovered (automobiles excepted)	\$24,508
Bertillion records received	2,635
Finger-print records received	3,189
Identifications made	173
Persons photographed	238
Photographs printed for exchange	3,046
Number of arrests made	9,932

The Judge of the Municipal Court is appointed by the Commissioner of Public Safety. This court tries all offenses of a minor nature arising within the limits of the City of Portland. Its decisions in such minor cases are final but certain cases may be appealed to the Circuit Court. The Municipal Judge is assisted by two clerks. There is also attached to this court a Public Defender whose duty it is to defend such persons brought before the court who are not financially able to engage their own attorneys. That the judge who presides over this court is quite a busy man may be inferred from the fact that during the year 1917 he tried 7,921 cases.

The City Attorney not only prosecutes cases before the

Municipal Court but he also acts in all cases which involve the city before whatever court such cases may be tried.

Another feature of the Portland city administration in charge of the Commissioner of Public Safety is the Bureau of Parks, which not only includes the City Parks with their birds, beasts and flowers but also a very complete system of public playgrounds as well. These playgrounds have been for some years the especial care of this department and provide all sorts of healthful recreation for old and young alike, as gymnasia, swimming pools and municipal golf. During the summer months skilled instructors are engaged to teach games and gymnastics. The value of the parks and playgrounds owned by the City of Portland is \$3,912,000.

The Board of Moving Picture Censors, consisting of three women and four men, exercise a supervision over all the "movies" exhibited in Portland in order to see that nothing of an improper nature be shown. The executive officer of the Board and its only paid official is the Secretary. The Board makes use of the services of about one hundred unpaid viewers who pass, during the year, upon about 6,600,000 feet of film.

II. *Public Utilities.* By a public utility is meant, in the language of the Portland city charter, "every plant, property or system engaged in the public service." Under this head the public utility of most importance to the citizens of Portland is the system which supplies the city with its water. This system is under the supervision of the Commissioner of Public Utilities.

The Bureau of Water Works has charge of a domain larger than the City of Portland itself in the Bull Run Reserve. This reserve, situated on the west slope of Mt. Hood must be guarded from intrusion so that the city's water may escape contamination. The two great conduits, each more than forty miles in length, must be kept in repair. There are roads, bridges, telephone lines, pump-

ing stations and headworks to be supervised. The total value of Portland's water system is \$13,582,000. The average daily consumption of water is about twenty-five million gallons.

Bureau of Health. Connected with this bureau are the Dental Clinie, School Inspector, Meat Inspector, Market Inspector, Milk Inspector, and the City Laboratories. The work of the Chemical Laboratory consists chiefly in making tests of milk from hundreds of dairies supplying the City of Portland, in order to determine whether it contains the requisite amount of butter-fat or whether it is pure. In addition to this it makes tests to determine whether meat sold in the markets contains any harmful substances. It assists the police by analyzing various beverages in order to ascertain whether they contain the forbidden amount of alcohol. Another task is to analyze the stomachs of dogs, chickens, etc., in order to find out for the satisfaction of their owners whether they have been poisoned.

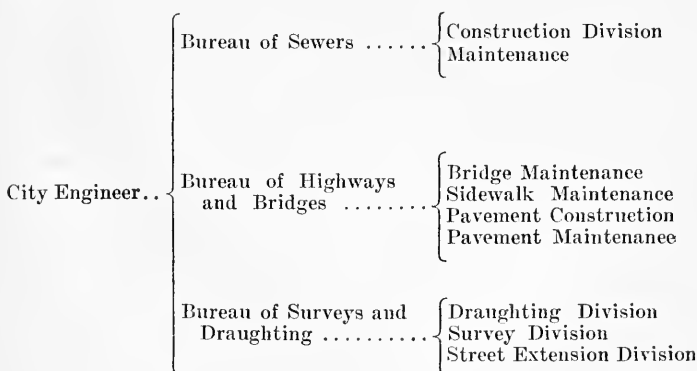
The Bacteriological Laboratory is in charge of an expert whose duty it is to protect the health of the city by making frequent examinations of milk furnished by nine hundred and ninety dairies and the 14,000 cows that supply the city of Portland; by examining water from all swimming tanks to see that they are free from disease breeding germs; by making a physical examination of all those who handle fruit in the stores or markets and those who dispense "soft drinks" or ice cream. Frequent tests are also made of work done by all the city laundries to discover whether their washing has eliminated all germs from towels, napkins, etc. The wares of all meat dealers are likewise inspected as a guard against possible tubercular meat. An immense amount of cultures for vaccines is manufactured in this laboratory thus saving the city large sums. The result of the work done in this laboratory has been a very appreciable reduction of the rate of mortality for the City of Portland both for adults and children.

Sealer of Weights and Measures. It is the duty of this official, also under the Department of Public Utilities, to see that the scales used by merchants are accurate; that buyers of wood and coal are not defrauded by false weights; to see that the quality of gasoline does not fall below the required standard; and in general to enforce honesty among dealers.

Bureau of Municipal Lighting. More than 3,600 arc lights are required to illuminate the City of Portland and the annual cost of their maintenance is about \$200,000. This bureau has charge of this very important function of city government.

Motor Buss Inspection. For the protection of its citizens the City of Portland makes regular and frequent inspections, through the Motor Buss Inspector, of all for-hire vehicles that make use of its streets. He issues and cancels chauffeurs' licenses, orders repairs to be made upon cars when necessary and has supervision of all motor stage lines.

III. The duties developing upon the *Commissioner of Public Works* can best be illustrated by the following outline:



Superintendent of Laboratories Bureau of Standards ...	} Physical Laboratory Chemical Laboratory Photographic Laboratory
Building Inspector..... Bureau of Buildings ...	

This department, as is shown above, constructs and keeps in repair streets, sidewalks, sewers, and bridges, issues permits for the construction of buildings, inspects plumbing and electrical installation to see that it is sanitary and safe and makes tests of various kinds of structural material. Some idea of the magnitude of the task of managing the affairs of the Commission of Public Works may be gained from the fact that in the City of Portland there are 875 miles of streets and 596 miles of sewers.

IV. The *Department of Public Affairs* includes the Bureau of Fire, Bureau of Street Cleaning, Bureau of Public Markets, Bureau of Public Employment, and the Municipal Reference Library.

The Bureau of Fire has in its service more than four hundred men. There are thirty-nine engine houses, nearly all of which have motorized equipment, and two fire boats for protection of the water-front. During the year 1917 there were 824 calls for the services of the department. Of these only 367 resulted in losses. During recent years the department has carried on an active campaign for fire prevention. This systematic education of the public has had a gratifying result as shown by the following figures: in 1914, before these fire prevention campaigns started, the loss from fire in the City of Portland was \$1,762,493; in 1917, after three years of such education, the loss was \$276,744.

The Bureau of Public employment not only places applicants in the City of Portland but keeps in touch with labor conditions throughout the State and in this way supplies the needs of the labor market in an intelligent man-

ner. During 1917 positions were secured for 35,400 men, women and boys.

The Bureau of Public Markets, under the direction of the Market Inspector, has supervision over the system of Public Markets which the City of Portland maintains in order to bring together the farmer and the city consumer. Nearly 50,000 producers, directly or indirectly take advantage of these facilities yearly.

To the Bureau of Street Cleaning is due the cleanliness of Portland's streets. Both motor and horse drawn street flushers are employed for street cleaning purposes.

The Municipal Reference Library contains nearly seven thousand books and pamphlets for the use of those who are interested in problems connected with city management. It is of great assistance to the city employees in their work.

V. *The Department of Finance.* This department includes the office of the City Treasurer, the License Division, the Bureau of Garbage Disposal, the Bureau of Purchases and Stores, the Bureau of the City Hall and the Free Museum.

The City Treasurer has a position of great responsibility. There passes through his hands each year approximately eight million dollars which is required to pay the expenses of the City of Portland.

Bureau of Garbage Disposal. The garbage of the City of Portland is consumed in a great destructor or incinerator. More than 35,000 tons of refuse matter is thus disposed of yearly.

Bureau of Purchases and Stores. One of the best features of the Commission form of government is the economy effected by centralizing all the city's buying in one purchasing agency. Under the old councilmanic government each of the numerous boards did its own buying in its own way. The result was extravagance and waste. The Bureau of Purchases and Stores, by doing all the purchasing for all the departments of the city government,

prevents duplication in buying and secures supplies at greatly reduced prices.

The management of the City Hall and the interesting Free Museum which it contains, is also under the supervision of the Department of Finance.

In addition to the five Commissioners, whose duties have been outlined above, the voters also elect, once in four years, a City Auditor. He must be an expert accountant and serves as the city bookkeeper.

The five Commissioners also act as the legislative body of the city, and when so engaged are known as the Council. They meet for this purpose at least once a week. All ordinances proposed, except "emergency ordinances," have three public readings by the Council and not less than one week may elapse between the introduction of the ordinance and its final passage. All matters to be considered at any session of the Council are published at least twenty-four hours before such sessions and no matter not so published may be considered at that session except with the consent of at least four members.

In addition to the officials named above, there are other administrative bodies connected with the management of the affairs of the City of Portland. The Port of Portland Commission and the Commission of Public Docks are closely related in the work of making Portland one of the best harbors on the Pacific Coast. The duties of the former consist chiefly in attending to the harbor itself while the latter body has charge of the three municipal docks as well as of the entire water-front. It also has supervision over the great grain elevator and terminal at St. John's.

The Civil Service Board attends to the hiring and discharging of all city employees. Every applicant for a position under the city government must take an examination prepared by this board. Those passing such examination are either given the position or placed upon the list

of those eligible for it. There are, in the employ of the City of Portland, about thirteen hundred persons under civil service.

The six officials, the Mayor, four Commissioners and the Auditor, are the only ones elected by the voters of Portland to conduct the affairs of the city. Formerly, under the old councilmanic form, there were forty-one officials to be selected at each election and for which about one hundred and seventy-five candidates offered themselves. Of course it was quite impossible for all the voters to know the qualifications of all of these candidates and to vote intelligently. Under the present system but three officials are elected every two years. The number of candidates is, of course, much smaller, for it has been found that only men who are at least well known have any chance of election and consequently the voters may easily learn the qualifications of those presenting themselves for office and vote intelligently thereon.

Under the old system the candidates for city offices ran as Democrats, Republicans, or Socialists. Now their party affiliations are not announced on the ballot and but few of the voters know, and nobody cares, to which political party they belong. The voters now very sensibly think that it matters very little what are the commissioners' views on the tariff or the question of the independence of the Philippines provided they are capable of administering efficiently the complex machinery of the city government.

PREFERENTIAL VOTING

Another economy effected by the adoption of the Commission form of government in Portland is through the elimination of the Primary Election for city officials. This has been accomplished by the adoption of the preferential system of voting. The ballot for city officials appears in this form:

	Mayor	First Choice	Second Choice	Third Choice	
	Names of Candidates				
	Commissioners Names of Candidates				

If there are more than three candidates for any office each voter may indicate by an X in the appropriate column his first, second and third choices. In counting the ballots the first choices are first tabulated and if any candidate has a majority (not merely a plurality) he is elected; if none has a majority the second choices are counted and added to the first. If none then has a majority the third choices are also added and then the candidates having the highest number of votes are elected.

Portland, like other cities that have the Commission form of government, has provided for the recall of any of its officials. As a matter of fact, however, the recall has been invoked but once since this form of government was adopted in 1913, and then failed to accomplish its purpose.

CITY GOVERNMENTS ELSEWHERE THAN IN PORTLAND

All other cities in the State, except Baker and LaGrande, have the councilmanic form of government. (American Republic p. 179; Advanced Civics, p. 219.) Baker has the Commission form and LaGrande has the Municipal Manager plan of city government. In the latter city the voters elect a board or council of five members who look the country over until they find a man whom they think fit

to manage the affairs of the city. When such a man is located he is questioned by the Directors as to his experience and general fitness very much as a Board of Directors of a corporation would do in seeking a superintendent. If his qualifications are satisfactory he is hired to manage the affairs of the city. He then appoints the heads of the different departments. An Auditor is elected by the voters to keep a check on the expenditure of the city's money and to keep the books.

Municipal Home Rule.—The Constitution of the State of Oregon provides that "The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter subject to the Constitution and criminal laws of the State of Oregon." This means that with few exceptions, each city in Oregon is to all intents and purposes an independent civic entity. One exception is that cities are prohibited from holding stock in any corporation. Another is in the matter of its right to incur indebtedness. This latter point will be taken up in the section on taxation.

CITIZEN SOLDIERY OF OREGON

(Supplementing "American Republic," pp. 201-206.)

Every able bodied citizen of the United States who is also a citizen of the State of Oregon, and all other able-bodied males who have or shall have declared their intention of becoming citizens of the United States, over eighteen and under forty-five years of age, except those especially exempted from military duty, is a member of the militia of the State of Oregon and is subject to call to active service in time of war.

The *organized militia* of the State consists of the National Guard, of which the Governor is Commander in Chief. In

time of war it is the first force, after the regular army, to be called into service. The National Guard may be called out by the Governor in cases of invasion, insurrection or the inability of the civil authorities to enforce the law, and if a greater force is required he may call out such portions of the unorganized militia as he may deem proper. The County Judge of any county may, upon the application of the Sheriff or the Mayor in any city in the county, report any such condition or danger to the Governor and call for the aid of the National Guard. Whenever it shall be necessary to call out any portion of the unorganized militia, as many of the enrolled militia as may be required shall be drafted by the Mayor of any city, or the County Judge of any county and this unorganized militia when called into service shall be assigned to the National Guard or organized in conformity with similar organizations of the National Guard.

The National Guard, both officers and enlisted men, is subject at all times to be called into active service by the President of the United States and is from the date of the call, subject to such laws and regulations for the army of the United States as may be applicable and shall be embodied as far as practicable in organizations corresponding to those of the regular army, or shall be assigned as the President may direct.

The Oregon National Guard is maintained in part by the State, but the greater part of its expense is borne by the Federal Government, the War Department providing arms and equipment and detailing officers from the regular army to assist in the work of instruction. Enlisted men of the National Guard receive as compensation for drilling, pay from the Federal Government amounting to one quarter of that received by men in the regular army. The compensation of officers of the National Guard is from two hundred and fifty to five hundred dollars per year.

At the time of our entrance into the Great War the

Third Regiment, Oregon National Guard consisted of one hundred and twenty-two officers and three thousand six hundred and two enlisted men.

The Oregon Naval Militia bears the same relation to the Naval Force of the Federal Government that the Oregon National Guard bears to the regular army. It is, however, much smaller in proportion. It is composed of nine officers and two hundred and twenty enlisted men. Drills are held at least once a week throughout the year and during the summer months the organization cruises for two weeks aboard a naval vessel in full commission. While on the cruise the officers and men are instructed by an officer of the regular navy. A cruiser of the regular navy is loaned by the Federal Government for the permanent use of the Naval Militia and an officer of the navy and a skeleton crew are detailed for duty with the ship. The Naval Militia, like the National Guard, is subject to call into active service of the United States upon the call of the Secretary of the Navy.

TAXATION—STATE FINANCE

(Supplementing "American Republic," pp. 230-242.)

The Constitution of the State of Oregon provides that "All taxes shall be levied and collected under general laws operating uniformly throughout the State." There are distinct limitations upon the power of the State, counties and municipalities in the matter of taxation. The Constitution provides that no county shall incur an indebtedness of more than \$5000 for any purpose other than to suppress insurrection, to repel invasion or for the building of roads, and any debt incurred for the last named purpose can be incurred only when approved by a vote of the people.

The second constitutional limitation upon the power to tax applies to the State government, to county and city governments and to all other districts and bodies to whom

the power to tax is delegated. It provides that no such taxing body shall, without the consent of a majority of the voters, levy in any year a tax greater than that levied in the previous year plus six per cent of that of the previous year. For example; if the tax levied in 1918 was \$600,000 the tax for 1919 must not exceed \$636,000.

It is further provided that the State shall not incur any debt in excess of \$50,000 except in case of war or to suppress insurrection or to repel invasion or for the purpose of building roads. A further exception to the last named limitation is made in the case of indebtedness incurred for the purpose of raising money to establish "Rural Credits."

The State may issue and sell bonds up to an amount not to exceed two per cent of the assessed valuation of property in the State, for Rural Credits. These bonds bear interest at the rate of four per cent. The money raised by the sale of the bonds may be loaned to farmers at the rate of five per cent and in amounts of not less than \$200 or more than \$5000. The sum thus borrowed by the farmer must be used, however, only for the following purposes: (a) The payment for lands purchased. (b) The purchase of livestock and other equipment and the making of improvements which, in the judgment of the State Land Board, will increase the productivity of the land or add to its value as a farm home in a degree to justify such expenditure. (c) To pay off mortgages on the farm which were incurred for the above purposes. The farmer borrowing from the State on this plan may pay back the loan in not less than ten nor more than thirty-six years.

That most unjust of all forms of taxation, the poll tax, does not exist in Oregon. All ships of fifty tons or more capacity are exempt, in Oregon, for all taxes except for State purposes.

The indebtedness of the State of Oregon on March 22, 1919, was \$2,940,000; that of the County of Multnomah was \$2,450,0000; that of the City of Portland was \$27,922,000.

INTRA-STATE COMMERCE

(Supplementing "American Republic," pp. 267-269.)

Intra-state commerce in Oregon is carried on partly by means of railways operating within the boundaries of the State, and partly by means of state and county highways. The advent of the automobile and the auto truck has greatly increased the importance of good roads, and within late years the State and many of its counties have devoted much attention to the construction of an admirable system of highways. The Constitution allows the State to tax itself up to two per cent of its assessed valuation for this purpose; and the counties as well may levy a similar tax. The Federal Government also coöperates with the State in this work. The State has within recent years raised several million dollars for the building of roads and now boasts some highways of national repute, notably the Columbia Highway. The construction of these roads is under the supervision of the State Highway Commission, composed of three Commissioners, a Secretary and the State Highway Engineer. The latter has actual charge of all construction work. The Commission has general charge over all matters pertaining to the construction and maintenance of State highways, the letting of contracts, and the selection of material to be used in the construction. They also coöperate with county officials in road construction and maintain a bridge department which furnishes to the counties plans and specifications for bridges. This service is without charge.

All intra-state railways are under the supervision of the Public Service Commission. This commission has power to regulate the rates, service and practices of such railways. Its power extends to the investigation of the reasonableness of fares and rates, discriminations, adequacy of service and accommodations, condition of equipment and the manner of

operation of all railroad lines within the State. It may designate what safety devices the railways must use and establish and eliminate grade crossings. The Commission consists of three men appointed by the Governor.

EDUCATIONAL SYSTEM OF OREGON

(Supplementing "American Republic," pp. 277-282.)

The educational system of Oregon, like that of many other Western States, is supported in part by the proceeds of the sale of the public land, each sixteenth and thirty-sixth section being devoted to that purpose. All money which may come into the State treasury by escheat or forfeiture, the proceeds of all gifts and bequests to the State for school purposes, the proceeds of any gift to the State when the purpose of such gift is not stated, the proceeds of the sale of all tide or overflow land, and all the proceeds of the sale of the five hundred thousand acres of land which was granted to the State by Act of Congress in 1841 constitute what is known as the "Irreducible School Fund" the interest of which must be applied exclusively for school purposes. In addition to this fund the schools are, of course, supported by taxation.

Elementary and High Schools.—The administrative unit for school purposes is the school district. There are, in the State of Oregon, 2589 such districts divided into three classes according to the number of children of school age in each. Districts of the First Class contain one thousand or more children of school age. Districts of the Second Class contain more than two hundred and less than one-thousand children of school age. Districts of the Third Class contain less than two hundred children. Special provision is also made for districts with twenty thousand or more children, which applies, at present, only to the City of Portland, as it is the only district in the State which has that number. Thus it will be seen that the school dis-

districts differ greatly in size ranging all the way from the tiny backwoods district with six children to District Number One with thirty thousand children and seventy schools.

In districts of the First Class a board of directors is chosen by all the voters at a special election. This board chooses a clerk and other administrative officers necessary for the conduct of the affairs of the district. They also choose the Superintendent of Schools and, where the district is sufficiently large, an assistant superintendent also. All local officers are subject to the supervision of the State and County Superintendents except in the case of School District Number One which is practically an independent unit.

Districts of the second and third class elect annually a board of three directors. This election is held at a meeting of the voters of the district, usually in the school house. The directors elected then choose a clerk. It is the duty of the directors to select teachers for their districts and to maintain the schools in accordance with the laws of the State. They may dismiss teachers, but such dismissal is subject to appeal to the County and State Superintendents. Portland teachers, upon dismissal, may appeal to a court consisting of three judges appointed by the presiding Judge of the Circuit Court of Multnomah County.

There can be no school district organized which contains less than ten children of school age, and a district loses its legal existence when the number of such children drops below six. The location and boundaries of school districts are determined by the District Boundary Boards, which consist of the County Superintendent and the Board of County Commissioners.

Education is compulsory in Oregon for all children between the ages of nine and sixteen. Children between the ages of sixteen and eighteen who have not completed the eighth grade but who are compelled to work, must go to school at least five hours per week.

In addition to the City High schools there are, in the State of Oregon, District, County and Union High schools. Any school district of the State may, if it so chooses, have a District High School. County High schools may be established by an affirmative vote upon question. Union High schools may be established by contiguous districts within any county. All such high schools must be conducted in accordance with the provisions of the State law.

At the head of the educational system of the State is the State Superintendent of Public Instruction. He is elected by the voters of the State for a term of four years. He has general supervision over all county and district schools. He is a member ex-officio of the Board of Regents of the University of Oregon, the Oregon Agricultural College and the State Normal School. His duties are, in part, to visit schools, to attend institutes, to keep statistics of school conditions, to act as Secretary of the State Board of Education, to annotate and compile school laws, to appoint the State Board of Examiners and direct its work, to issue all certificates to teach, to decide all questions of doubt and dispute for county superintendents, to render a biennial report to the legislature covering all information deemed of use to the educational interests of the State.

It is the duty of the County Superintendents to apportion all State funds to the various districts in their counties, to hold institutes, to visit all the schools of their counties at least once each year (except in counties having School Supervisors), to see that the course of study is carried on, and to perform such duties as are usually within the province of such officials.

Higher Institutions of Learning.—The University of Oregon, located at Eugene, comprises a College of Literature, Sciences and Arts, and Schools of Architecture, Journalism, Law, Education, Music, Commerce and Medicine, the latter two being located in Portland. In addition to the regular work done on the campus, numerous exten-

sion courses are offered in many parts of the State thus enabling those who are unable to attend the University to secure some of its benefits at home. Correspondence courses are also offered.

The government of the University is vested in a Board of Regents consisting of ten citizens of the State. Their service is without pay. Appointment of the Board of Regents, together with the State Board of Education, who are ex-officio members of the Board Regents, is made by the Governor for a term of twelve years.

The Oregon Agricultural College is situated at Corvallis. Its purpose, as stated in the original act which created it is to "teach such branches of learning as are related to agriculture and the mechanical arts, in such manner as the legislature of the State may respectively prescribe in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life." The college offers courses in agriculture, home economics, pharmacy, engineering, forestry, and mining as well as all others usually taught in institutions of its kind. The male part of the student body is organized upon strict military lines under the supervision of an officer of the United States Army especially detailed for this purpose.

The government of the College is vested in a Board of Regents consisting of thirteen members together with the Governor, the Secretary of the State, the Superintendent of Public Instruction and the Master of the State Grange.

Oregon has but one Normal School, this being located at Monmouth. Its function is to train teachers to teach in the public elementary schools of the State. It is governed by a Board of Regents consisting of nine members.

CORPORATIONS

(Supplementing "American Republic," pp. 285-291.)

The Constitution of Oregon provides that "corporations may be formed under general laws, but shall not be created by the legislative Assembly by special laws." This means that the sessions of the Legislative Assembly need not be swamped with a multitude of bills for the creation of corporations. All such business is attended to by the Corporation Commissioner who is appointed by the Governor. The duties of this Commissioner, which were formerly those of the Secretary of State, are to have a general supervision of all corporations, joint stock companies and associations, foreign and domestic, except banks, insurance companies and public utility corporations. He also has charge of the administration of the "Blue Sky Law." This law is designated to "protect purchasers of stocks and bonds and prevent fraud in the sale thereof." Stock brokers and all others having stocks and bonds for sale, must submit them to the Corporation Commissioner for examination. He passes upon the worth of such securities and decides whether they may be sold in this State. Stock and bond brokers must render a yearly accounting to the Commissioner and he may cancel their right to do business at any time the securities prove worthless. False statements by brokers as to their stocks and bonds are punishable by fines ranging from \$100 to \$10,000 and by imprisonment for from ninety days to one year.

All fire and life insurance companies are under the supervision of the Insurance Commissioner. He decides whether such companies may do business in the State. It is also his duty to investigate the affairs of all such corporations at least once in three years.

The Superintendent of Banks supervises the affairs of all banking corporations doing business within the State. His

duties are to supervise all State banks and Trust companies, administer the law regulating pawnbrokers and to appoint three Bank Examiners.

The Constitution provides that the State shall never organize any bank.

LABOR

(Supplementing "American Republic," pp. 293-299.)

The State of Oregon has done much through legislation to safeguard the interests of the laborer. This has been done through the passage of an Employers' Liability Act, a Workmen's Compensation Act, by limiting the hours of labor for certain classes of employees, by providing for their physical welfare and by fixing a minimum wage for women and minors.

The Employers' Liability Act provides that care shall be exercised in providing in all ways for the safety of employees in industrial pursuits. Any negligence in this shall make the employer liable to a criminal action in case of injury to the employee through such negligence. There shall be no limit to the amount of damages which may be claimed in a suit in such case. It also provides that the common law defense that the accident was caused through the fault of a fellow employee shall not be pleaded in the State of Oregon.

The Workmen's Compensation Act provides that, in case of the death by accident of an employee occurring in the course of his employment, his widow, if he be married, shall receive \$30 per month through life or until remarried, together with \$6 per month for each child under the age of sixteen years. If there is no surviving widow, each child is to receive \$15 per month, the total sum not to exceed \$50 per month. Provision is also made for the support of other surviving dependents, as well as for the payment of the burial expenses of the deceased workman.

If the accident results in permanent disability—by which is meant the loss of both arms, or an arm and a leg, paralysis, or such a condition as to make work impossible—provision is made for the payment through life of \$30 per month for an unmarried man, or \$35 for one who is married together with \$6 per month for each child under sixteen years of age.

Where the injury results in permanent partial disability—by which is meant the loss of hearing, the loss of one hand or one foot, one eye, one or more fingers, etc., \$25 per month shall be paid for varying periods according to the seriousness of the disability, or in some specified cases, a lump sum may be accepted in lieu of the monthly payments.

First aid, medical attention and hospital services are furnished free to injured employees, provided the expense thereof shall not exceed \$250. In order to obtain the benefits of this act the workman must, when injured, file an application for compensation accompanied by a physician's certificate, and it is the duty of the attending physician to inform the workman of his rights under the act.

The money which is paid to injured workmen under this act is derived from payments made by the employers and employees jointly, together with funds devoted to this purpose by the State. The Administration of this act is entrusted to the Industrial Accident Commission, consisting of three commissioners appointed by the Governor.

It is a crime in the State of Oregon to attempt by threat or violence or by any other means to attempt to induce and workman to vote for any measure or man. It is a crime to try by any of these means to prevent any person from continuing to work for his employer. It is also criminal to try by any of these means to prevent an employee from joining or to induce him to give up his membership in any labor organization.

Blacklisting, that is, publication by an employer of any list of persons discharged by him for the purpose of preventing him from securing employment elsewhere, is made a criminal offense.

The State of Oregon has assumed a foremost place among the States of the Union in its care for the welfare of its women workers. This duty devolves upon the *Industrial Welfare Commission* in whom the Legislature has vested the authority to regulate the hours of labor, minimum wage and working conditions of all workers of the State. This commission has issued most minute orders, which have the force of laws, prescribing for each occupation in which women are employed, the maximum number of hours per day and per week which such women may be employed, and has fixed a minimum wage for each kind of employment, both for women and girls. It has laid down rules governing apprenticeship, and has made careful provision for the health and comfort of all such workers in their places of employment. Violation of the rules issued by the Industrial Welfare Commission are punishable by fine and imprisonment.

(The student should study this matter more fully by consulting the reports of the Industrial Welfare Commission.)

Child Labor.—No child under fourteen years of age is allowed to work in a factory, workshop, mercantile establishment, store, business office, restaurant, bakery, hotel or apartment house.

No child under eighteen is allowed to work during the school term, unless he has graduated from the grammar grades. Provision, however, is made for part-time instruction of such minors while at work.

No child under eighteen is allowed to operate elevators. No child under sixteen is allowed to work in telegraph, telephone or public messenger service.

No child under sixteen is allowed to work after 6 P. M.

or before 7 A. M. No child under eighteen is allowed to operate logging engines. No child under sixteen can be employed at any labor specified above unless he has secured a permit from the Child Labor Commission.

No minor child may be employed more than ten hours in any day and those under sixteen may be employed not more than eight hours.

The administration of the laws relative to child labor is in the hands of the Board of Inspectors of Child Labor.

CRIME

(Supplementing "American Republic," pp. 301-307.)

The Constitution of the State of Oregon provides that "Laws for the punishment of crime shall be founded on the principles of reformation, and not of vindictive justice." With this in view, those convicted of crime are frequently given indeterminate sentences and are paroled from the penitentiary by the Governor, at the recommendation of the Parole Board when their conduct seems to justify such leniency.

The Oregon State Penitentiary is located at Salem. It usually houses about five hundred criminals.

The Oregon State Training School, located on a farm of five hundred acres near Salem, is an institution for the training of incorrigible boys between the ages of ten and eighteen years. Boys are sentenced to the care of the school until they are twenty-one years old, but, at the discretion of the Board of Control, they may be paroled, after one year, as a reward for good behavior. The boys work on the farm, make their own clothes and shoes, do the cooking and laundering, and are instructed in manual training. They thus have every opportunity to become self supporting upon their departure from the school.

The Oregon State Industrial School for Girls is located upon a tract of more than fifty acres near Salem. The

object of the school is to educate, rather than punish, the delinquent girls committed to its care. The girls in this institution are taught cooking, sewing, laundering, gardening and such handicrafts as weaving and basket-making. They are also taught chicken raising, the care of children, physical culture, vocal and instrumental music, besides the regular grammar-school work through the eighth grade.

The institutions named above, as well as the state hospitals and the schools for the blind, deaf, and feeble-minded and the Capitol and Supreme Court buildings are under the supervision of the Board of Control, which consists of the Governor, the Secretary of State and the State Treasurer.

CHARITIES

(Supplementing "American Republic," pp. 308-311.)

The State of Oregon like other far western States is fortunate in having comparatively few cases of poverty to provide for. Nevertheless ample provision is made for such as she does have. County Farms are maintained for the care of those who are without any means of support. Some of these, notably the Multnomah County Farm, are models of their kind.

The Oregon State Hospital located at Salem cares for the insane of the State. There are committed to its care about sixteen hundred patients many of whom are employed in tilling the farm connected with the institution and are kept at work in its dairy, poultry yards and laundry.

The Eastern Oregon State Hospital is a similar institution caring for the insane of that part of the State. It is located near Pendleton.

The State Institution for Feeble-minded situated near Salem cares for boys and girls who are mentally deficient. This institution is located on a farm of 635 acres.

The Oregon State School for the Blind gives to the blind

children of the State the best possible facilities for acquiring a thorough education and training in useful arts and professions by which they may become self-supporting upon leaving the school. Pupils are also taught all grammar school subjects and such of those of high school grade as are best fitted to their needs. This school is also located near Salem.

The Oregon State School for the Deaf situated near Salem is another institution designed to care for and educate children of the State to whom nature has been unkind. The students are taught to read the lips and are thoroughly educated in all subjects through the first year of high school.

The Oregon State Tuberculosis Hospital is the contribution of this State to the nation-wide campaign to combat this dread plague. It is situated near Salem in the midst of grounds of 149 acres. Like the other institutions of the State, its farm supplies it with much of its food. Approximately one hundred and fifty patients are cared for by this institution annually.

A notable instance of progressive legislation in the State of Oregon is the Mothers' Pension Law. This law provides that every woman who has one or more children under the age of sixteen years, dependent wholly on her labor, and whose husband is either dead or an inmate of some State institution, or is wholly incapacitated from work, is entitled to receive from the county in which she lives \$10.00 per month for one child, and \$7.50 per month for each additional child, the total amount not to exceed \$40.00 per month. The mother must have resided one year in the county and three years in the State at the time of making the application for the pension. Certain restrictions are imposed to provide for the welfare of the children and to guard against fraud.

HEALTH OFFICERS

(Supplementing "American Republic," pp. 313-317.)

For the safeguarding of the health of its citizens there are in the State of Oregon, city, county and state health officers. The work of the city health officers has been described in the section on the government of the City of Portland. The County Health Officer investigates and quarantines contagious diseases, abates nuisances pertaining to public health, and enforces the State laws pertaining to the same. His work is subordinate to the State Board of Health. He is appointed by the County Court to serve as the Secretary of the County Board of Health. This board consists of the County Judge and the County Commissioners.

The State Board of Health consists of seven members, three of whom are appointed at intervals of two years by the Governor with the approval of the Senate. The seventh member is the State Health officer who acts as secretary of the Board. The Board has general supervision over the health and lives of the citizens of the State. It keeps vital statistics of the State and makes sanitary investigations and inquiries respecting the causes and prevention of diseases, especially epidemics, including those of domestic animals.

It is empowered to make such quarantine regulations as seems best for the preservation of the public health. It supervises all orphanages and foundling institutions and must periodically inspect all of the hospitals and sanatoria, public and private. It equips and maintains a bacteriological laboratory.

The safety of industrial workers in the State is looked after by the Industrial Welfare Commission. The safety of travelers and employees of the railways operating in the State is under the care of the Public Service Commission.

The State of Oregon has taken a long stride toward protecting the morals of its citizens by the passage of two amendments to its Constitution. The first, passed by a vote of the people in 1914 prohibits the manufacture and sale of intoxicating liquors within the State. The second, adopted also through the Initiative in 1916, forbids the importation of liquor into the State.

THE END



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