

apply to many of the state property taxes. As for the second point, the court could find no clause requiring all taxation to be proportional, but by far-fetched construction which to the lay mind appears almost incredible, declared the progressive principle to be in conflict with this section in the bill of rights: "All political power is inherent in the people. Government is instituted for their equal protection and benefit."

In Illinois, where the progressive rates apply not to direct heirs, as in Ohio, but only to collateral and testamentary successions, their constitutionality has been questioned on the strength of the Ohio decision, but the case has not yet been decided by the court of last resort. The decision will be awaited with interest both by the friends and the enemies of progressive taxation, for it may have an important bearing upon the future extension of the principle. It is inconceivable that the Ohio decision alone should be regarded as conclusive by the courts of other States; but if it should be confirmed by a similar decision in Illinois, based perhaps on somewhat sounder reasoning, it would be difficult for progressive taxation to make any headway against two such adverse decisions. The case now pending in Illinois is therefore of importance to the whole country. Fortunately the other objection to the Ohio law has been obviated in Illinois by permitting a certain sum to be deducted from all taxable estates. And the Illinois court can hardly fail to see that the legislature which has power to abolish the right of inheritance altogether must have power to limit the right a little through the agency of taxation; and that progressive taxation is not only economically permissible, but is demanded by equity and the genius of democratic institutions.

MAX WEST.

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#### FOURTH OF JULY CELEBRATIONS AND THE INTERESTS OF BALLOT REFORM.

ALL good citizens must know that times of peace afford opportunity for the display of patriotism quite as valuable to the country, if not so spectacular, as times of war. If "war is hell," then, indeed, that widespread devotion to the welfare of country which preserves domestic tranquillity and honorable peace with foreign nations is far more valuable than that same devotion made effective in bringing destructive war to favorable issue from a national standpoint. To all thoughtful people it must be apparent that the manifestation of patriotism is declining among us. There is a universal self-seeking so urgent that small room is left for thoughts of responsibility to country or posterity. Time was when men sacrificed self for country. Now they sacrifice country for self. Our people are still ready to sacrifice self on the altar of patriotism should a sufficiently urgent occasion be manifested. Such an occasion always exists in the necessity for maintaining our political purity. This can only be accomplished by selecting good and capable men for office from the primary election to the choice for President, and by rendering fraud and corruption impossible. This will be difficult to accomplish, however, so long as there exists among us a large class of venial, indifferent voters, who have never had the real meaning and dignity of voting clearly and forcibly impressed upon them.

Everybody understands that the supreme requirement of republics is a citizenship whose great majority shall be possessed of high moral character and intelligent ideals and these always in evidence at the polls. That a

dangerously large portion of our voters can be purchased, and a much larger number of them are careless of their civic duties, is conceded by all parties. This evil seems to be rapidly growing, and should be checked, or our government and civil institutions will be ruined, and the hands upon the dial-plate of civilization will, as a necessity, be turned backward. Ours is certainly the highest style of government known to civilization for an ideal people.

I am inclined to believe it can be proven to be the worst form of government for a people not prepared for it. Should we sink below a certain level, then the pit into which we shall fall may be bottomless. Our hope must lie in the moral character and patriotic earnestness of the voter. Our fears and cares for the future of our country would be at an end if the worse half of our voters were as good as the better half. Given voters who earnestly, intelligently and conscientiously seek to do right and, though mistakes might occur, our problems of civil government would be solved. Voters can not be made such by legal nor mechanical devices. The work must be back of all these efforts. It must be formative rather than reformatory or prohibitive. To reach and build conscientious citizen rulers is the great and only task worthy of national effort in this direction. In a Republic the voter is a sovereign, and the perpetuity and prosperity of our government demand that this sovereign shall be not only good, but that he shall feel his responsibilities and diligently execute them in righteousness. So far all are agreed, but there seems to be universal perplexity as to the means for compassing this result. Let us look at two facts as a preparation for a suggestion to this end.

First: It must be admitted that we are guilty of gross negligence at a critical point concerning this voter sovereign. We do not crown him. He comes to his vast responsibilities without the slightest public notice, or a hint of a suggestion that the country has any interest in the way he shall discharge his functions. Our culpability, it is true, is modified by the want of a valid precedent upon the part of any nation, and rendered more excusable by the fact that our sovereign is so numerous and widespread, and so constantly and ubiquitously coming to his majority as to almost forbid the thought of a public demonstration over each individual. Nevertheless it is worthy of thought, and "where there is a will there is a way."

Second: There must be universal regret because the Fourth of July has degenerated into a day of desecration, instead of an occasion for the celebration of the greatest event in our history, and one of the greatest in all history, whose significance is by no means duly apprehended by the present generation. Such patriotic sentiments as seek expression are voiced upon Washington and Lincoln's birthdays or on Decoration day. As to Washington's Birthday, it is the wrongtime of the year, being available only for indocors and for the few. The other dates are severely suggestive of sectionalism, and concentrate thought upon a historical event which can only admit of incidental reference to the immense ideas clustering about the birth of the Republic. For practical and widespread dissemination of the fundamentals of our government, which, when properly understood, cannot fail to produce an enthusiasm of patriotism, no day is so available as the Fourth of July. The season is ideal for outdoor assemblages, and commemorates at once the climax of human history, for those who incline to retrospection, and the inauguration of the new order of things for those who care to look forward.

Now, putting these two ideas together, viz., our failure to crown our sovereign, and the real merits of the Fourth of July, we are ready for the suggestion, which is, that on the Fourth of July, each year, the young men in any given area—say a county—who have reached their majority between that Fourth and its predecessor, should be invited to a grand banquet, given in honor of their obtaining the right to vote, by public spirited citizens, or at public expense. When assembled together and in the presence of their friends and the general public, they should receive, with a suitable address and from the hands of the most honored and venerable resident of the locality, some distinguishing badge or sash to mark them for that day; be assigned to seats of honor in the assemblage of the people; receive addresses from the most distinguished persons that could be secured, upon those great questions suggested by the inspiring presence of a body of young men so conditioned, and the immortal ideas clustering about the Fourth of July; be assigned to seats of honor at the public dinner, after which post-prandial exercises could, in lighter vein, still emphasize their dignity and the sublime signification of the whole occasion. Any other features, such as athletic sports and fireworks, could be introduced, but always as incidents to the solemnities of the coronation.

Indeed, the outline here suggested could be changed and elaborated to suit any community or condition.

There can be no doubt that the young men would almost unanimously accept the invitation. Their presence, for the purpose of coronation, would inspire the orators of the day to their utmost exertion to do justice to the occasion, and, instead of the customary platitudes characterizing such efforts in the absence of living, practical incentives, the best thoughts of the ages would be tested in the crucible of our times, and moulded in forms of useful attractiveness, and addressed with that enthusiasm which is produced by the expectation of effecting immense results. The immediate effects could not be otherwise than most salutary upon the young men. The sacred honor and vast responsibility of the franchise would mean something after spending such a day at the threshold of manhood. One can scarcely imagine their consenting to be bought, or leading themselves to any form of corruption, after such an induction into their sovereignty as citizens. Moreover, the effect upon the whole community would be of equal value. Boys approaching the period of their majority would be impressed most favorably. Year by year older men would be held face to face with their responsibility, and the crime of trifling with the ballot would be held up to such scorn as would certainly affect them most favorably. Voters and voting days would be more respected. Politics would be purified. Ward heelers and political bosses would lose their vocations. Our grave problems of self-government would possess larger probabilities of immediate and righteous settlement.

The great merit of this suggestion lies in the fact that it has attractions for the very people who ought to be reached.

Then, too, our people at large would have one great worthy holiday devoted to the highest ends and possessed of the noblest means toward those ends. Great crowds would always assemble. The guarantee for that would be the fresh enthusiasm surrounding the new candidates for coronation. Thus good fellowship would be promoted, and it would be no small result if the days of great oratory should return once more.

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## MISTAKES ABOUT JUDICIAL PROCEEDINGS IN MEXICO.

It is truly lamentable to see the mistakes often made by able men of this country visiting Mexico regarding our institutions. I recently noticed a serious one about our judicial system, which appeared in the *Lisbon, Ohio, Leader*, of February 18, 1897, in a speech delivered by the Hon. P. M. Smith, in answer to a toast, "The lawyer in Mexico," at a banquet of the Lisbon Bar and county officials, which took place in that city on Wednesday, February 2, 1897. It seems that Mr. Smith had visited Mexico, and seen the holding of a court, very likely in a very small Indian town, where the court "met in an adobe structure, containing a table, three chairs for the judge and lawyers, and a mud bench along the wall covered with cement, without books or file cases." He noticed that no oaths were administered to the witnesses, and without understanding the reason of this omission, he allowed his imagination and humor to get the better of his judgment, and offered the following explanation, showing not only his ignorance of the matter, but his undaunted courage in attempting to explain the meaning of something which he did not understand:

"Oaths were not administered on the theory, I assume, that an oath would add nothing to the natural truthfulness of the Mexican, and if you are liable to be defeated by false testimony of two witnesses for a small consideration, you can secure three to contradict the two, and thus possibly win your case, and aid in securing justice to a worthy litigant."

If Mr. Smith had been better acquainted with the judicial system of Mexico he would have found that prior to 1873 we did administer oaths, as is now done in this country, in all judicial proceedings, and to all public officials on being qualified for their respective offices, and that in that year the oath was replaced by a formal promise to tell the truth. What we called our Laws of Reform, which had been enacted from 1855 to 1859, and which established full liberty of conscience and free exercise of any religious belief, and a complete separation between Church and State, was incorporated in our Constitution in 1873 as an amendment to the same, which made it necessary to suppress the oath, as the oath is a religious act, in which God and the Holy Scriptures are invoked in witness of the truth of a statement made, and it ought not to be required in judicial and other official matters, when some men might consider themselves forbidden by their creed to take an oath, and others look upon it as meaningless. When the oath was replaced by a formal promise to tell the truth, the law provided that said promise should have the same effect as the oath, its breach being punishable as a perjury. That promise is not only required in judicial proceedings, but in every case in which the oath was before administered, that is, in the qualification for public offices, and so forth. Had Mr. Smith taken the pains to understand the subject, he would have avoided the gross mistake alluded to.

Mr. Smith is also mistaken when he asserts "that whenever the authorities in Mexico want to get rid of a person who is obnoxious but does not violate any law that justifies his extermination, he is sentenced to the penitentiary for some criminal act, and while on his way to the prison he is advised by his guards to escape, and that when he attempts to do so, he is shot and reported lost on the road." In disturbed and lawless times, assassinations might have taken place in that manner, as they often do in other countries, because, unfortunately, men invested with authority are sometimes apt to abuse it; but Mr. Smith may be sure that one or two cases that may have