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***W. S. U'Ren, The Lawgiver***

OREGON has more fundamental legislation than any other state in the union excepting only Oklahoma, and Oklahoma is new. Oregon is not new; it is and it long has been corrupt, yet it has enacted laws which enable its people to govern themselves when they want to. How did this happen? How did this state of graft get all her tools for democracy? And, since it has them, why don't her people use them more? The answer to these questions lies buried deep in the character and in the story of W. S. U'Ren (accent the last syllable), the lawgiver.

They call this man the father of the initiative and referendum in Oregon, but that title isn't big enough. U'Ren has fathered other Oregon laws, and his own state isn't the limit of his influence. The Dakotas have some similar legislation. Meeting on a western train one day a politician who seemed to know all about things there, I inquired into the origin of the Dakota laws.

"There's a fellow over in Oregon," he answered—"funny name—he tipped us off and steered us; sent drafts of bills and pamphlets containing arguments. I can't recall his name."

"U'Ren?"

"That's it; that's the man."

They are getting good laws in the state of Washington, also. I asked in Seattle where they came from. Very few knew, but those that did said: "U'Ren of Oregon." The first time I heard this name was in Rhode Island. Ex-governor Garvin, the advocate of democratic legislation for that law-bound state, knew about U'Ren. After that I used to come upon his influence in many states and cities where men were tinkering with the sacred constitutional machinery that won't let democracy go. But my last encounter with the mysterious ubiquity of this singular man's influence was amusing. Spreckels, Heney, and the other fighters for San Francisco thought of going to the people on a certain proposition and, seeing thus the uses of the referendum, wanted it. I suggested writing to U'Ren. They never had heard of him, but they wrote, and he came. And he heard them out on their need of the referendum.

"But I think," said U'Ren, "that you have it in your city charter." Everybody looked incredulous. "Where is the book?" U'Ren asked. "I think I can find it. I certainly had some correspondence with the makers of that charter; I think I drafted a section—yes, here it is. [He read it to himself.] It isn't mine—not very clear but—[handing back the book] good enough for your purpose, you see."

William Simon U'Ren, the lawgiver, was born January 10, 1859, at Lancaster, Wisconsin. His father is a blacksmith, and his father's seven brothers were blacksmiths; their father was a blacksmith, and their father's father, and his father, and his. As far as the family can trace from Cornwall, England, back into Holland, they see an unbroken line of blacksmiths. And preachers. Five of U'Ren's seven uncles preached and, among their ancestors, other blacksmiths

preached. And William U'Ren himself is both a blacksmith and a preacher in a way; in a very essential way.

“Blacksmithing is my trade,” he says. “And it has always given colour to my view of things. For example, when I was very young, I saw some of the evils in the conditions of life, and I wanted to fix them. I couldn't. There were no tools. We had tools to do almost anything with in the shop, beautiful tools, wonderful. And so in other trades, arts and professions; in everything but government. In government, the common trade of all men and the basis of all social life, men worked still with old tools, with old laws, with constitutions and charters which hindered more than they helped. Men suffered from this. There were lawyers enough; many of our ablest men were lawyers. Why didn't some of them invent legislative implements to help the people govern themselves? Why had we no tool makers for democracy?”

U'Ren is a very quiet man. He never would strike one as a blacksmith. He never would strike one at all. Slight of figure, silent in motion, he speaks softly, evenly, as he walks; and they call him, therefore, the “pussy cat.”

“You see,” he purred now, “I saw it all in terms of the mechanic.” But he feels it all in the terms of religion. His mother, also Cornish, also of the class that labours hard, was also religious—a Methodist. She taught her children from the Bible. Jehovah, Moses, and Jesus were the ideals of this humble family, and, for some reason, Moses caught the imagination of her oldest boy, William. He always wanted to hear about Moses, the lawgiver, and when he could read for himself, Exodus and Numbers were the books he loved best. And just as some boys want to be Napoleon, so young U'Ren dreamed that when he grew up he would be like Moses, the giver of laws that should lead the people out of Darkness into the land of Promise. But, of course, the Biblical hero-worship, taught him first by that pious woman, his good mother, made it a religious influence, as it still is, for when U'Ren, the blacksmith, is fashioning his legislative tools he works not alone with the affection of the true mechanic, but with the devotion of a faith that his laws will indeed deliver the people from bondage.

All his life William U'Ren had heard of liberty. His father's father lived in Cornwall on land leased for ninety-nine years; his mother's father on land leased for “three lives.” That's why his father emigrated at seventeen, and his mother at ten, to the “land of the free.” And one of William's first recollections of “American liberty” is of our war against slavery. His mother told stories of “poor little black children sold away from their mothers,” and his father pointed out the power of the “slave interest.” He realized the Power of Evil, that father did.

A strong, independent spirit, he wanted to work for himself. He was an expert mechanic. The son tells how once when they got a job together, he boasted of his father's skill, and the next time a piece of work came along calling for a master workman, the elder U'Ren was put to it. He did it to a turn “in one heat.” So he was in demand as “a hand,” but he had a head and he “hated a boss.” He wouldn't stick to a good job, no matter how good it was. He must “move on,” seeking liberty—freedom to do his own work in his own way. He couldn't. The best pay for a blacksmith was in big organizations like the copper mines of Lake Superior. He tried farming. He led his family West, from Wisconsin to Nebraska; over into Colorado; back to Wisconsin; down again to Wyoming and Colorado. It was no use. Father and sons, they all worked as only border farmers work; they couldn't earn enough ahead to buy their liberty; or, if they got a start, something set them back.

U'Ren visualized one tragic day out of this life for me. His father had taken up a homestead in Nebraska, and they had made a farm of it. William remembers halting, on his way to town one morning, to look back from a hill over the rich, yellow level of their crops spread out

under the sun. When he came home that afternoon, he stopped, stunned, on that same hill-top. The sun still shone, but the homestead, the whole country, was bare and brown. The boy understood then what one of the plagues of Egypt was. The grasshoppers had passed, a cyclone of them, and in four hours the U'Rens were ruined.

“I was brought up in the fear of the poor,” U'Ren says, “the terrible fear of poverty.” But not in hate; at least, not in the hatred of men. “Things make men do bad things,” he says. He does not believe in bad men and good men, and, as we shall see, he deals placidly with both kinds. “Conditions are to blame for all evil,” he pleads patiently, “conditions that can be changed.” His father, who pointed out conditions to him, taught him also to fight. But he was to fight for justice, not for hate.

Since the family moved about so much, William seemed always to be “the new boy” at school. The others picked on him. He was still a child, quick-tempered, but not aggressive. And the first time he was tempted to fight, when he was seven years old, he took his mother's counsel that only

“Dogs delight to bark and bite;  
It is their nature to.”

William didn't fight. But when, not long after that, at Nevadaville, Colorado, Davie Radcliffe called Willie U'Ren a liar, Willie consulted his father. The father reflected a moment, then said in a way the boy never forgot:

“Never hunt a fight, boy, but never run from one; never suffer wrong or injustice.”

The next day Willie U'Ren hunted the fight he had avoided. He found Davie; Davie didn't care to fight then. But another boy accommodated Willie. Johnnie Badger, the fighter of the school, licked Willie that day; and the next; and the next. Willie came back for his daily licking till his father happened to hear of it. “What's the matter, William?” he asked. “Can't you lick that boy?”

“Not yet,” said William, “but I will some day.”

The father took his boy in hand, taught him how to use his fists and Willie went to school and licked Johnnie Badger. “And then,” U'Ren says, “we became good friends.”

A salient trait of U'Ren, the man, is his perfect self-possession. His father developed that in him. One day William was sent to a neighbour's for a set of double-trees for a wagon. He hitched a trace to it and, letting his horse drag it home, lost one of the clevis pins. His father rebuked him sharply, and William flew into one of his violent but infrequent passions. His father was silent. He didn't want to break the boy's spirit; he waited till William “felt bad.” They were haying together then, and at one of the pauses to rest the father talked quietly about self-control. One must learn to govern one's self, he said, and he concluded: “If you don't, William, you might kill.”

No one who meets W. S. U'Ren now could believe that he ever had a temper. It took time, but the character-building done for the boy both by his parents and by himself was good work well done. And his mental development was still more interesting. Though his father's discontent kept the conditions of their life critically before him, there was no understanding of causes. The family read “Greeley's Paper,” and both father and son followed politics. But the first definite sense of the economic problems underlying politics came to William himself when he was hardly thirteen. The farmers in the Nebraska district where his father had his homestead, needing a school, met to devise ways of making the absentee landowners pay for it.

“It seemed to me, as a boy,” U’Ren says now, “that something was wrong in this. If it was right for those non-voting landholders to own the land, it was wrong to tax them for the school they did not use. Or, if it was right to tax them, it was wrong for them to hold the land they did not use. I puzzled over this, but I could not put my finger on the injustice I felt lurking somewhere.”

He never spoke of this. He was a solitary soul, as his sports show. He didn’t dance, nor even play much. He liked to hunt and think, to work and think, to read and—dream. While he learned his trade, and learned to love it, and while he worked the farm and took pride in his straight rows of corn, his ambition ran off to politics. But not to the game. Congress was his goal. That was where the lawgivers gathered. To fit himself to make laws, he must study law and, in Denver, he entered an office as a student, but not with the idea of making law his career. One of the firm, Merrick A. Rogers, encouraged U’Ren there. “Money-getting isn’t a very high object, not for a life,” he used to say. And despite his terror of poverty, U’Ren has always regarded the practice of his profession as a secondary consideration. He is a legislator.

Politics comes first with U’Ren. He makes his living with his left hand; his right is for the state. And that such citizenship can be effective is demonstrated by this remarkable fact: the father of the initiative and referendum, the first legislator of Oregon, has held office but once in his career. He has done what he has done as a citizen in politics.

His first experience of the game was in Denver when he was a law student. The presidential campaign of 1880 was on and U’Ren had just come of age. The Republican party needed the help of all good men and true, and first-voters were invited to work. U’Ren volunteered. He offered his services with the enthusiasm of youth and the fervour of that secret inspiration of Moses. And the leaders welcomed the boy. They put him to work. They directed him to aid in colonizing voters in a doubtful ward! U’Ren was stunned. He did not know such things were done. He was horrified, but fascinated. He said nothing; he didn’t do the work, but he hung about watching it done. The dreamer was allowed to see the inside. There were anti-Chinese riots in the town. The mob marched through the streets crying “The Chinese must go!” and threatening to kill them. U’Ren became excited. Here was oppression of the weak. At his request, he was appointed a deputy to “protect the poor Chinamen,” and he served in all earnestness till an insider explained to him that the mob was organized and the riots were faked to get the good citizens out to the polls to vote for “law and order and the Republican party.”

The elders forget how young people feel when they first discover that the world isn’t what schools and grown-ups have taught them. It would be better to teach the truth; then the new citizens would be prepared for the fray. As it is, the sudden shock carries away not only the “illusions” but more often the character of youth. Not so with U’Ren, however. His dream of Congress vanished, but his hope of inventing laws to make such evils less easy and profitable stayed. Indeed, this was the time when the dominant idea of his life took its first definite form. “As I watched this fraud, and saw that it was the means by which the other evils were maintained, I felt clearly that a modicum of the thought and ingenuity which had been devoted to machinery, if given to government, would make this a pleasant world to live in. That men were all right at bottom, I was convinced, for I noticed that we young men were honest and capable of some unselfish service. It was the older men that were ‘bad.’”

Sickness befell U’Ren, a long, lingering, weakening illness, that took all the sand out of him. He was admitted to the bar, and practised long enough to see the trickery and the injustice of the law. He edited a newspaper at Tin Cup, a mining town, but he saw that that business had its frauds, too, and that the editor is no freer than his father, the blacksmith, was. So he quit, and

began just such a wandering life as his father had led. In pursuit of liberty and health, he moved about from Denver to Iowa, back to Colorado, on to California, the Hawaiian Islands, and Oregon, and back, getting better and worse till 1889-90, when something happened; something for which these wander-years and his whole life and his father's had prepared him. He read "Progress and Poverty." It is wonderful how many of the men who are working for political reform got their inspiration from Henry George. "I am for men," George said, and he made men. No matter what the world may decide to do about his single tax, some day it will have to acknowledge that Henry George brought into the service of man more men of more different kinds than any other man of his day. U'Ren is not an orthodox single-taxer today; U'Ren cannot be classified economically at all; he thinks for himself. He read other books then; he reads other books now. Open-minded in the period when, as he says, "the hard conditions and selfish interests of life are ossifying most men," he never has been able to close up his mind. He is wide open to any truth from any source.

The way he started on his career as a legislator shows this. One day toward the end of his wander-years, as he was changing from the train to the boat on the Oakland (California) mole, somebody thrust into his hand a leaflet on the "initiative." There was nothing about the "referendum," and U'Ren had never heard of either. But he had noticed that all the political evils of all the cities and states, where he had idly watched men defeat themselves, culminated in the betrayal of the people by their representatives. And this leaflet showed how the people themselves, outside of and over the heads of their elected representatives, might initiate and pass laws. Here was a tool for democracy; here was a means to achieve the reforms Henry George indicated. U'Ren determined then and there to hammer this leaflet into a bill and pass it somewhere.

U'Ren didn't care where. The need of it was universal in the United States. He thought how useful it would be in Denver, in Iowa, in Wisconsin; it was needed right there in California. But he happened to be going to Oregon and that's how U'Ren came to be the lawgiver "of Oregon."

The initiative—as a tool, remember; as a means to an end; as a first political step toward changing our economic conditions—this idea gave purpose to his life. His health improved. He went to Portland and, mousing around for books and men, came upon E. W. Bingham. "Ed. Bingham," U'Ren says, "was a law-maker. He had the most wonderful constructive talent for law-building that I ever encountered." Bingham was working with an Australian Ballot League. He was secretary, and he taught U'Ren to be secretary of things. "Never be president," he said. "Never be conspicuous. Get a president and a committee; and let them go to the front. The worker must work behind them, out of sight. Be secretary."

U'Ren has always been secretary; clerical, impersonal, but busy, like Bingham. He has given credit for all his work to other men. The first time I met him, he talked of leagues and committees of leading citizens—bankers, railroad men, corporation attorneys, corrupt politicians—whom he named. But I noticed that while the members of U'Ren's several committees knew something about their own work, they seldom knew anything about that of the other committees of which U'Ren was secretary; and when it came to precise information, they all would say, "You must see our secretary, a Mr. U'Ren, for that." A Mr. U'Ren was the one man in Oregon who knew all about all this legislation.

Well, Bingham had drawn the Australian ballot law for his league, and he talked it over, section by section, with U'Ren, who thus got from an expert his first lesson in law-building. The next thing was to pass it. U'Ren asked why they didn't get the platform committee of the

Republican Convention to endorse the bill. Bingham laughed, and so did a senator who was present, but the dreamer “rushed in where angels feared to tread.” You will hear today in Oregon that U’Ren is “the smoothest lobbyist” in the state, and he is. He is calm, conciliating, persistent; and he fits his argument to his man. He talked politics to that platform committee; he gave, not his reasons for wanting the Australian ballot, but arguments which appealed to these party politicians. And they listened. Then Bingham appeared. Unlike U’Ren, Bingham was aggressive. He came into the committee room with fire in his eye, bulldozing, begging, reasoning, and threatening. They could put off U’Ren; Bingham hung on like a bulldog, and in the end, they got his bill endorsed by the Republicans. Then they went to the Democratic Convention and there also they won. And the legislature, thus pledged, adopted Bingham’s Australian ballot.

Started thus first in the public service, U’Ren had still to make his living. About that time he fell in with an interesting group of people, the Luellings of Milwaukie (Oregon), orchardists and nurserymen. Seth developed the well-known cherries, “Bing” and the “Black Republican,” which latter the South re-named the “Luelling.” Seth and his wife, and Alfred Luelling, were live-minded people, and they gathered about them other active brains. They thought, and they read; they had lectures and they recited from the English poets. Lacking orthodox teachers, they guided themselves through studies ranging from economics to spiritualism. Unafraid of any new idea, they gave a welcome and a hearing to any apostle of any ism. U’Ren was well received among them. He was taken into partnership in the business. When that failed in the panic of 1893, there was a quarrel, and bitter feelings which endure to this day, but U’Ren says that his health, his heart, and his mind all were better for this life among these people.

It was here that he heard first of the referendum. They were all members of the Farmers’ Alliance, and Alfred Luelling brought to a meeting one night J. W. Sullivan’s book on direct legislation in Switzerland. It contained the whole set of tools of which, hitherto, U’Ren had heard of but one, the initiative. This would enable the people to make laws; the referendum would enable them to stop legislation initiated by their legislators. U’Ren was enthusiastic; the whole alliance was. With these tools, the people could really govern themselves. And that is what these people wanted; they were Populists.

We of the East despised the “Pops”; but their movement was to the reform movement of today what the “extreme” Abolitionists of New England were to the great movement that produced Lincoln and the Republican party. U’Ren became a Populist. But that party was to him—what the Republican party is to him now; what any party must be to any man who has in mind the good, not of an organization, but of a people—a means to an end, an instrument, a political tool. The “Pops” were sincere people who wanted to change things for the better. There was a use for them, and U’Ren, who saw it, joined them and soon was secretary of the Populist state Committee.

And when, as secretary of the Populists, he had worked the initiative and referendum plank into their platform, he went forth as secretary of a Direct Legislation League to the conventions of the other parties. And he lobbied initiative and referendum planks into the platforms of all of them, excepting only the Prohibitionists, who, like the Socialists, “won’t play” with anybody else. Having the parties pledged, he set about making them keep their promises. He lighted a fire behind them.

U’Ren went to the people. They were ready for him. The year was 1893. Discontent was widespread. Agitation had taken the form of a demand that the legislature to be elected in 1894 should call a constitutional convention to rectify all evils, and U’Ren was one of the many workers who went about pledging candidates. But he and the Luellings concentrated on the “I. &

R.," as they called the initiative and referendum. As secretary of the Direct Legislation League he got up a folder stating simply the democratic principle underlying the initiative and referendum and the results to be expected from it. Direct legislation was an acknowledgment of the right of the people to govern themselves and a device to enable them to do so. The "I. & R." would put it in the power of the voters to start or stop any legislation, just like a boss. In other words, it would make the people boss; the legislators would have to represent the voters who elected them, not railroads and not any other "interest." Nobody could object (openly) to this; at least, nobody would out there in that western state where the failures of democracy were ascribed, not as in the East, to the people, but to the business and political interests that actually are to blame.

Everybody worked. The women sewed the folders; two-thirds of the houses in Milwaukee were thus engaged that winter (1893-94); they prepared 50,000 folders in English and 18,000 in German; and the alliances and labour unions saw that the voters got and read them. The effect was such that when the politicians pleaded ignorance of the initiative and referendum, U'Ren could answer: "The people know about them." And that was true. After the election, these same workers, men and women, circulated a petition which, with 14,000 signatures, was presented to the legislature.

Now, that is as far as a reform movement usually goes. U'Ren went further. Knowing that the representatives elected by the people are organized in the legislature to represent somebody else, U'Ren went to Salem as a lobbyist, a lobbyist for the people, and he talked to every member of that legislature. He saw the chicanery, fraud, and the politics of it all, but he wrung from a clear majority promises to keep their pledge.

"And we lost," he told me quietly. "We lost by one vote in the House and in the Senate also by one vote."

"Fooled?" I asked.

"Fooled," said U'Ren. "It was done in the Senate by a wink, a wink from Joe Simon" (president of the Senate and boss of Portland).

"You understood. How did you feel?"

"We were angry," U'Ren answered. "I completely lost my self-control and I said and did things that were wrong. And when I saw my mistake, I remembered what my father used to say about self-control, and I tied a string on my finger to remind me. That device of the children worked with me. I think I never afterward completely lost my temper."

The act which U'Ren calls his mistake was to go out from that legislature to punish the members who had broken their pledges; and that is what I can't help believing must be done. But U'Ren is one of those very, very few men that believe, after these 2,000 years, in the Christian spirit as a practical force.

"Alfred Luelling first questioned the wisdom," he said, "of punishing faithless legislators. We talked it over and I thought a lot about it. And I decided that he was right. After that, we never again punished men. Of course, we voted against a delinquent, if the parties gave us a choice; but our policy was to punish, not a man's delinquencies, but his promises."

Coming from a practical politician, this is a most important tip for reformers. And U'Ren is a practical politician. He learned something from that legislature. Watching it as, when a boy, he watched Denver politics, open-eyed, he saw what he saw, and his mind, never taught to blink the facts, took in what his ears and eyes perceived. When he came home, he organized his county, and he organized it well. The "dreamer" became the boss of his (Clackamas) county, but he was not a selfish boss. This was his chance to realize his young dream of Congress. The

Populists wanted him to go, but he knew now what Congress was, and “What could I have done against the combine that ran it?” he asked. “I could do nothing but protest at Washington,” he added. “In Oregon I could get the initiative and referendum through.”

So he ran for the Assembly and was elected. This was in 1896. Bryan was running for president, and Oregon was a free silver state. Even Republicans like Senator Mitchell were for silver; they were called “Silver Republicans” just as in the East we had “Gold Democrats.” The Populists elected thirteen assemblymen, the Democrats three, the Republicans forty-four; in the Senate the Populists had three votes, the Democrats three, the Republicans twenty-four. And this is important because that legislature never was organized; it was the famous hold-up session, a scandal yet in Oregon. And U’Ren was one of the managers of that hold-up. Oh, he had learned a lot of politics!

The demand for a constitutional convention was waning. Leaders like U’Ren realized that a convention might not be so amenable to public opinion as the legislature, so he was for the initiative and referendum by legislative amendment. That would require the passage of the resolution through two legislatures in succession and then a vote by the people. This way looked long, but U’Ren, as a boy, had proven on Johnnie Badger that he was built to fight till he won. And he had a plan. He had seen in the last session how a delegation such as the “Pops” had now could be used to play politics with, and U’Ren had made up his mind to play politics—for the people. He began right after election.

Oregon at the time was in that primitive stage of corruption where personalities still played a part and any cash briber had a chance for high office. The railroads ruled, but the dominant road, the Southern Pacific, was a foreign corporation. Its bosses might have gone to the United States Senate from Oregon if they had lived there, but they were elected by California, so Oregon was open to its own rich men. And many of them sought the “honour.” They paid out great sums trying to get it. The politicians told me that these bankers, editors and business men were “played for suckers” year after year; and any Oregonian will tell you with a laugh the names of the victims of this long-drawn-out comedy.

U’Ren understood this. In 1897 Senator Mitchell was to be re-elected; U’Ren had no doubt of that, and he called on him to trade “Pop” votes for his help on the initiative and referendum. Politician as he was, Mitchell talked favourably in August, not at all in November, and just before the session “went back on” the measure entirely. He told U’Ren why.

“I’ve got three “Pop” votes that nobody can get away,” he said.

“Are you sure?” asked U’Ren, who could hardly believe that the Populists, so new and so enthusiastic, would surrender so soon to “the conditions that make men bad.”

Mitchell was sure; he advised U’Ren not to introduce the bill. “My people won’t stand for it,” the senator said.

Mitchell had made one other shift of position. A Silver Republican all through the Oregon campaign (which ended in the June election), he came out after it for McKinley and gold. Some of his lieutenants left him, among them Jonathan Bourne, Jr., a man we must know. He is now a United States senator from Oregon. You have heard of black sheep? Well, Jonathan Bourne was the black ram of a rich old New England family. After a wild time at Harvard University and a wilder time “about town,” he went West and had the wildest time of all. I think U’Ren will not charge him up to conditions; I’ve heard him say that Bourne was improved by age. Bourne learned his game from Mitchell, who learned his from Quay in Pennsylvania, whence Mitchell came (after a change of name). And the lesson of the Quay school of politics



was not to organize like Tammany for the year around, but to “let her rip” till just before a campaign, then make a new “combine.”

When Mitchell made his gold “combine,” Bourne made his new silver “combine” and U’Ren joined Bourne. Mitchell didn’t have the three Pop votes. U’Ren found that his delegation was solid, and ready to trade. All they wanted was (1) the initiative and referendum, (2) a good registration law (Ed Bingham’s), and (3) Pop judges and clerks of elections. Bourne wanted to be Speaker. He was willing to swing his delegation to the Pop bills in return for their votes for his speakership. This settled the House; they looked to the Senate. The president, Joe Simon, was the man who beat the constitutional convention with a wink. No matter. U’Ren wasn’t punishing men. He called on Simon. He knew Simon wanted to go to the United States Senate. Simon didn’t say so. No. Simon’s conversation suggested that President Corbett of the First National Bank would make a good senator, but the politicians understood that Corbett was “only Simon’s rich sucker.” And so it turned out, for when, later, Simon did control a legislature for Corbett, Simon, not Corbett, was elected to the United States Senate. But U’Ren wasn’t interested in senatorships. He believed that Simon would go into a strong combine to beat Mitchell. And he was right. Since the terms—U’Ren’s “fool” legislation and Bourne’s speakership—were satisfactory, Simon delivered the Senate.

Does it begin to appear now how U’Ren got his good laws in the bad state of Oregon? Do you begin to understand why it was that “leading citizens” and “corrupt politicians,” the very men who are against reform elsewhere, “passed all these reform measures ascribed to U’Ren?” Most of these men didn’t know what they were doing, and they didn’t care. They wanted something for themselves; U’Ren wanted something for the people. On that basis, William U’Ren went into every political deal that he could get into.

And that he was a factor to be reckoned with, he proved right away. Quick, quiet, industrious, he had his “combine” organized before Mitchell woke up. The Simon-Bourne-Pop crowd captured the temporary organization of the House. This they did by a snap. They weren’t ready to elect a United States senator, and since the election must be held, by law, on the second Tuesday after the permanent organization was effected, their play was to put off the election of a Speaker. U’Ren himself made that play. There was a contest over one seat in the House. U’Ren was on the committee and he controlled three of the five votes. He wouldn’t report. The minority, seeing the game, rushed back and, reporting a row in the committee, caused a row in the House. And a mad scene it was. The Mitchell men rose in a rage and, all on their feet, were crying “Fraud!” and demanding “Action.” When U’Ren arrived, his side, uninformed and without a leader, was in a state of confusion. They greeted him with a cheer and he took the floor. Quietly, with great courtesy and unexepcted ability, he met the attack. Everybody else was excited. U’Ren alone was cool and, as man after man arose to accuse him, he, with the papers they wanted in his pocket, answered with reason and with tact. And his self-possession soon possessed the House. “It is wonderful!” a woman spectator exclaimed. “Whenever that man speaks, you can feel a sense of quiet settle upon the whole House.” Little known in the state and known to the politicians as “the dreamer,” U’Ren’s debate that night made him a reputation. The recollection of everybody present was vivid ten years afterward, when I inquired, but when I mentioned it to U’Ren, he smiled; he never fools himself.

“It is easy to make a reputation as a parliamentarian,” he said, “when you have the chairman on your side.”

He won out; that is what he recalls. He beat permanent organization that Monday night, and thus put off the senatorial vote for two weeks. And then followed, not two weeks, but a

session, of bribery, drunkenness, hate, and deadlock. Men were bought, sold, and bought back again. Both sides used money fiercely; and since there was no appropriation bill, the members got from the state no salary, no mileage, nothing; they had to have money. Well, they got it. Bourne set up a private house, somewhat like the “House of Mirth” at Albany, N. Y., where he “kept” men on his side. Mitchell ran the price of votes up to thousands of dollars, and he and his lieutenant, Charlie Fulton (later a United States senator from Oregon), paid out the money in cash. The Pops caught them at it.

Johnson Smith, assistant warden of the penitentiary, then a Pop assemblyman, proposed to go to Mitchell and take some of his money for evidence.

“Go ahead,” said U’Ren. “We’ll vouch for your purpose in doing it.”

So Smith got from Mitchell and Fulton \$1,500 as for himself, and \$250 as for the go-between. The next day, when the Mitchell men were trying to gather a quorum, Smith stood outside in the lobby. Rushing up to him, Fulton ordered him to his seat. Smith laughed. “Why! Aren’t you going in?” said Fulton. And when Smith said he wasn’t, Fulton flew into a rage. “Didn’t you take our money and promise to go in?”

“Yes,” said Smith, “I took your money. You were so damn fresh and free with it, I thought I’d take a piece. But it’s you that’s sold, not me.”

There was more to this dialogue, but the sequel will interest the people of the United States who want to know about their United States senators, Governor (now U. S. senator) Chamberlain of Oregon made an affidavit for Francis J. Heney to send to President Roosevelt, deposing and swearing that when Smith was under consideration for appointment to the penitentiary, Fulton protested on the ground, not that Smith had taken Mitchell’s money, but that, having taken it, he had not stayed bought! Charles W. Fulton is fundamentally corrupt.

“No,” says U’Ren. “That was in war time, and we mustn’t judge men in the heat of battle by the standards of cold blood.” But U’Ren is excusing the bribery of 1897; the senator’s protest to Governor Chamberlain was in 1903—in cold blood. But never mind Fulton. How about U’Ren? That deadlock, which he helped to manage, lasted to the end. Nothing was accomplished; no senator was elected, no legislation passed, and everybody concerned was under suspicion. U’Ren himself had charges to answer. He was accused of taking money from Bourne, and calling together the Pop committee, he admitted that he had borrowed \$80. He had to, he pleaded. He had opened a law office in Oregon City, but a “country lawyer” in politics earns very little, and since there was no appropriation bill, he got no pay as an assemblyman. He earned none, he admitted, and he abided by that. For when the next legislature voted full salaries and mileage to its predecessor, U’Ren and one other member, George Ogle, sent back their warrants. So he never did get any money for that time and, to exist, he had to borrow from Bourne. But the \$80 was a loan, not a bribe; he has long since paid it back and, since he suggested the whole deal, the money did not affect his conduct. His committee exonerated U’Ren, but the transaction hurt him, and so did some letters of his which, published later, showed how he traded with the powers of evil; as he did and as he went on doing deliberately, in cold blood, as George Ogle knows.

George Ogle, farmer and Populist, is notoriously honest. He was U’Ren’s best friend, and when in the fall of 1898 Ogle’s mother died, he asked U’Ren to deliver the funeral address. The next day Ogle mounted his horse and rode back to town with U’Ren. It was a cold ride in the rain through slush, but they had a warm talk, those two. U’Ren had run for the Senate that summer against George C. Brownell, the senator from Clackamas who, as chairman on the committee on railroads, had represented for years the corrupt system of Oregon in the Senate. He beat U’Ren, who turned right around and made a deal with him, U’Ren promised to help elect Brownell to

any office he might choose to run for next time, if the senator would work in good faith for the initiative and referendum. Ogle knew this because he was one of the "Pops" U'Ren had asked to join in his bargain. And Ogle had been thinking it over ever since, and now, out there in the mud and sleet of that country road, he asked U'Ren what the fight was to cost him.

U'Ren understood, and he answered, "I am going to get the initiative and referendum in Oregon," he said, "if it costs me my soul. I'll do nothing selfish, dishonest, or dishonourable, but I'll trade off parties, offices, bills anything for that."

Ogle objected. "Good things are not worth that price," he said.

They were both thinking of Brownell, of course, and U'Ren said he had to deal with the men in office. "We can't choose our human instruments," he argued, "and we can't change political methods till we have passed some legal tools to do it with." And he recalled a story Ogle had told him once of a cattlemen who discharged a cowboy because he returned from a search for some cattle with an explanation of his failure to find them. "I want my cattle, not your excuses," the cattlemen said, and "that," said U'Ren, "is what the people say to us." It was the old question whether the end justifies the means.

They quarrelled over it, those two good friends. It was a quiet quarrel and it is being made up now, but they parted then for many years, Ogle returning to his farm, U'Ren to the lobby at Salem.

And U'Ren used the lobbyist's means to attain his end. He and Frank Williams watched their "friends" and made new ones. Brownell was true; also he was clever. He didn't pretend to believe in the "crank" measure. "I've got to vote for it," he would say to his "practical" colleagues. "My district is chock-full of 'Pops' and I have to placate them. And what does the initiative and referendum amount to anyway? It's got to go through two sessions. Pass it now and we can beat it next time." But Brownell's best service was in trading. Once, for example, Williams, one of Lincoln's old secret-service men, learned that two senators were quarrelling over an appropriation for a normal school. U'Ren arranged through Brownell to get appropriations for both. Two normal schools for two "I. & R." votes! And it was either at this session or the next that U'Ren and his friends connived at what he calls a "vicious gerrymander."

"We helped through measures we didn't believe in," U'Ren says in his plain way, "to get help for our measures from members who didn't believe in them. That's corruption, yes; that's a kind of corruption, but our measures were to make corruption impossible in the end."

The "I. & R." passed in 1899, 44 to 8 in the House, 22 to 6 in the Senate. And U'Ren went on working. The moment the session closed, the Direct Legislation League (W. S. U'Ren, secretary) set about making it impossible for Brownell's friends to "beat it next time." U'Ren instructed the voters. The propaganda was systematic, thorough, complete, and the politicians knew it. And the politicians knew now that U'Ren's word was good, and his support worth having. So in 1901, when the measure came up for second passage, U'Ren, from the lobby and after more dickering, saw it go through unanimously. And at the next general election (1902) the people approved it, 11 to 1.

Thus it was, then, that the people of Oregon achieved actual sovereignty over their corrupted state by the methods of corruption. What good has it done them? They have the power to change their constitution at will; to make laws and to veto acts of their legislature, but laws and machinery are of no use to a people unless there are leaders to apply them. The referendum which U'Ren found in the charter of San Francisco was a dead letter; Heney didn't even know it was there. And Heney's exposure of Oregon came two years after U'Ren had his "I. & R." In brief, to repeat the question raised at the beginning of our story, Why don't the people of Oregon use their power to change the system?

The answer is, as before, “W. S. U’Ren.” He knows the “I. & R.” is nothing but a tool; that it is worthwhile only as it can be used to change the “conditions that make men do bad things”; and he means to use it. Indeed, he proposed, when he got it, to proceed at once to economic reforms. But wiser heads counselled that, until the new instrument had been tempered by custom, it would be better to use the “I. & R.” only to get other new tools. So the Direct Legislation League gave way to a Direct Primary League, and W. S. U’Ren, secretary, drew a bill for the people to initiate that should enable them to make their own nominations for office and thus knock out the party machines. While this was doing, a railroad planned a referendum to delay a state road which the Chamber of Commerce wanted, and the Chamber, in alarm, threatened an initiative for a maximum rate bill. That settled the railroad, pleased the business men and showed them the use of the new tool. And when, in July, 1903, a circuit court declared the “I. & R.” unconstitutional, there was backing for the tool. U’Ren was able to get Senator Mitchell, Brownell, and eight other political and influential corporation attorneys to appear before the Supreme Court, to defend the “I. & R.,” which was sweepingly upheld.

The Direct Primary Bill was passed by the people in June, 1904, 56,000 to 16,000. A local option liquor bill was passed by initiative at the same time, and in November several counties and many precincts went “dry.” U’Ren had nothing to do with this last, but he did have very much to do with another important enactment—the choice of United States senators by direct vote of the people.

This radical reform was achieved without secrecy, but yet without much public discussion. It was a bomb planted deep in the Direct Primary Bill, and U’Ren planted it with the help of Mitchell, Brownell, Bourne and two or three editors of newspapers. The idea occurred to U’Ren to write into the Primary bill a clause: that candidates for nomination for the legislature “may” pledge themselves to vote for or against the people’s choice for United States senators, “regardless of personal or party preference.” Mitchell helped to draw the clause, now famous as statement No. 1, which legislators might sign, and he expected to be and, if Heney hadn’t caught him grafting, he would have been elected on it without having to bribe legislators. U’Ren would have helped him. As it happened, Mulkey (for a short term of six weeks) and Bourne were the first senators elected under the amazing law which hardly anybody but U’Ren realized beforehand the full effect of.

That Jonathan Bourne, Jr., should have been the first product of the popular election of senators has been used to disparage this whole Oregon movement, but Bourne had backed all these reforms with work and money, and U’Ren says he is sincerely for them. But U’Ren tried to get another man to run, and turned to Bourne only when he was convinced that, to establish statement No. 1 as a custom in Oregon, the first candidate must be a man rich enough to fight fire with fire if the legislators should be bribed to go back on their pledges. So, you see, U’Ren was still thinking only of the tool, and he won again. For the knowledge of Bourne’s resources and character (and, also, a warning from the back country that the men with guns would come to Salem if their legislature broke its pledge) did have its effect. The legislature confirmed Bourne without bribery and with only four votes against him.

The Direct Primary Law settled, a People’s Power League was organized (W. S. U’Ren, secretary) to use the people’s power, but U’Ren still stuck to toolmaking. Other reformers used the “I. & R.” for particular reforms. The Anti-Saloon League passed a local option bill; the state Grange enacted two franchise tax acts, which the legislature had failed on; and U’Ren’s league put through a constitutional amendment to cut out the state printer’s graft. On the other hand, a graft bill to sell the state a toll road, another for woman’s suffrage, and a liquor dealers’

amendment to the local option bill were all beaten by referendum. But U'Ren and the League worked hardest for and passed, by initiative, bills extending the "I. & R." to cities and towns, and giving municipalities complete home rule—more tools. And so—next year, initiative bills were passed to let the people discharge any public officer of the state and choose his successor by a special election (this is the famous "recall"); a corrupt practice act; to make the people's choice of United States senators mandatory; and, deepest reaching of all, proportional representation. All tools. There were referendum petitions out, also; two against appropriations, one to make passes for public officials compulsory, another to beat a sheriff's graft. But U'Ren was still after the tools.

But will this tool-making never be over? "Yes," said U'Ren; and he added very definitely, "Reform begins in 1910." And one proposition in the list for 1908 showed what we may expect. This was a bill "to exempt from taxation factory buildings and machinery; homes and home improvements, but not the lots nor the farms." Quietly worded though this was, the reform involved is economic, and economic reforms are, as we have seen, what U'Ren is after. And he will get them, he and the people of Oregon. I believe that that state will appear before long as the leader of reform in the United States, and if it is, W. S. U'Ren will rank in history as the greatest lawgiver of his day and country.

But what about the man? What about reforms got as he has got his? It must be remembered, before passing judgment, that Oregon was in that stage of corruption where the methods were loose, crude and spontaneous. Perhaps the condition I mean can best be brought home by citing an agreement written by Harvey W. Scott, the really great editor of that really great newspaper, the *Oregonian* (and of its afternoon edition, the *Telegram*), one night in 1903. There was a contest on for United States senator. Scott had hopes. Bourne had had them, but he had nothing left but a small minority of legislators. These he owned, however; they had cost him \$25,000. Scott wanted Bourne's legislators, so on the last night of the session he wrote the agreement printed below, and Wm. M. Ladd, the leading banker of Portland, wired it (hence the verbal errors) to Salem. Here it is:

"In case I receive Jonathan Bourne, Jr.'s support for United States senator at the joint session of the legislature tonight, I hereby agree to use the full power of the *Morning Oregonian* and the *Evening Telegram* to defeat John H. Mitchell at the next senatorial election, and elect Jonathan Bourne, Jr., in his place.

"I further agree that if I receive the support of Jonathan Bourne, Jr., for United States Senate in the joint session of the legislature tonight, that if elected I will turn all the federal patronage over to Jonathan Bourne, Jr.

"I hereby further agree in lieu [view] of receiving the support of Jonathan Bourne tonight at the joint session of the legislature, that whether elected or not, I will pay to Jonathan Bourne \$25,000 in United States gold coin."

Scott didn't get his senatorship; Brownell threw it to Fulton, but that is neither here nor there. Other contracts like this are in the the safe-deposit vaults of Portland, and they illustrate the state of corruption W. S. U'Ren worked his reforms through. And all U'Ren did was to trade, dicker, and connive. I've told the worst of it yes, practically all of it; and it may not be considered as very bad; certainly it never was selfish; but it was corruption. So I ask:

"Isn't U'Ren only our damned rascal?"

I put the question to U'Ren himself one day. I was at his home, a small cottage on a point of land that looks up the Willamette River to the famous falls. One afternoon, when the country lawyer was telling me his story, the "wrong as well as the right of it," and we were in the midst of one of his deals, his wife looked into the parlour and asked him if he wouldn't get her some wood. He rose and we went out to the woodshed; and, as he chopped, I said:

"How well off, are you, U'Ren?"

He rested his axe to answer: "I think," he said, "that I am one of the richest men in Oregon."

"How is that? Have you made money?"

"My earnings average about \$1,800 a year. But that isn't what I mean. I haven't any money, but I haven't any wants either, not for myself."

"What about your conscience?" I persisted. "What have those compromises with corruption cost you?"

"Nothing," he said. "I never have done a dishonest or a dishonourable thing."

"No, but you have made bargains with the devil to get him to pass your laws. You remember Moses? He also broke the covenants of the Lord, and you know what happened to him. He was taken up where he could see the Land of Promise, but he wasn't allowed to go over into it. Why won't it be so with you? You may have saved the people of Oregon, but haven't you lost your own soul? Won't you go to hell?"

He was looking down while I spoke, and he didn't see that I was speaking half in fun. Evidently he considered the prospect seriously, for after a moment, he looked up steadily at me, and in even tones answered out of his deliberation.

"Well," he said, "I would go to hell for the people of Oregon!"