



1913

A Nonsuable Citizen

Kentucky Law Journal

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Recommended Citation

Kentucky Law Journal (1913) "A Nonsuable Citizen," *Kentucky Law Journal*: Vol. 1 : Iss. 4 , Article 4.

Available at: <https://uknowledge.uky.edu/klj/vol1/iss4/4>

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THE SHORT BALLOT PRINCIPLEAs Defined by the **SHORT BALLOT ORGANIZATION.**

The dangerously-great power of politicians in our country is not due to any peculiar civic indifference of the people, but rests on the fact that we are living under a form of democracy that is so unworkable as to constitute in practice a pseudo-democracy. It is unworkable because

First—It submits to popular election offices which are too unimportant to attract (or deserve) public attention, and,

Second—It submits to popular election so many offices at one time that many of them are inevitably crowded out from proper public attention, and,

Third—It submits to popular election so many offices at one time that the business of making up the elaborate tickets necessary at every election makes the political machine an indispensable instrument in electoral action.

Many officials, therefore, are elected without adequate public scrutiny, and owe their selection not to the people, but to the makers of the party ticket, who thus acquire an influence that is capable of great abuse.

The "SHORT BALLOT" principle is—

First—That only those offices should be elective which are important enough to attract (and deserve) public examination.

Second—That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates.

Obedience to these fundamental principles explains the comparative success of democratic government in the cities of Great Britain and other foreign democracies, as well as in Galveston, Des Moines and other American cities that are governed by "Commissions."

The application of these principles should be extended to all cities, counties and States.

A NONSUABLE CITIZEN

The decisions of the Supreme Court have made it clear that citizenship in the Union is of a dual nature, also that a person may be a citizen of the United States, and not a citizen of any particular State. The jurisdiction of the federal courts as to parties is dependent, however, on a fixed residence in a particular state. An interesting situation involving this question recently came before a federal court. A young and gifted American soprano, born and reared in Missouri, left her home to study music in Europe. She quitted her native heath with the intention of never returning to the United States to live. Having completed her vocal training she took up her permanent residence in London. The alluring temptation of the American golden eagles drew her again to her native land under a singing contract with Hammerstein. She gave a concert in Kansas City on her own account, and Hammerstein, claiming an interest in the proceeds under his contract, sued the fair *prima donna* in a federal court in Missouri. He was met with a plea to the jurisdiction. Defendant, having

abandoned her residence in Missouri with no intention of returning, was not a citizen of that state, so as to be subject to suit in the federal courts by a citizen of another state. Was she suable, then, as an alien? Tho she had lost her citizenship in Missouri, she had been born in the United States, and by that act acquired a citizenship therein. She had not been naturalized abroad, had never sworn allegiance to any foreign prince or potentate, nor committed any act of expatriation. She was, then, a citizen of the United States, and could not be sued as an alien. Consequently she was not suable in the federal courts of Missouri on either ground, nor in any federal court in the United States. *Hammerstein V. Lyne*, 200 Federal Reporter, 165.

LAW AS IT IS

If Homer were writing today he would stick right to the law. It is a vast and unending field, and would add much vagueness and uncertainty to any writing. It abounds in myths and mysteries. Just the other day the Supreme Court of Michigan acknowledged that it was a fish pond, or something on that order, and seemed to think that the troubled waters of a negligence case should be a public and free fishing spot for all. *Green V. Michigan Cent. R. Co.*, 133 Northwestern Report 956. And now comes the most august and corn-fed State of Nebraska and refers to it as a forest, and speak of blazed trails and beaten paths. It says that it is better to follow the beaten paths, and avoid uncertain and devious trails that have been blazed by certain radical woodsmen of the law. *Goff V. Supreme Lodge Royal Achates*, 134 Northwestern Reporter 239. Now, what shall we do with this strange something that everybody is presumed to know, but which no one is presumed to understand? Shall we take a boat to traverse its troubled waters, or shall we take an ax to hew our way thru the dim and shadowy jungles? Shall we take rifles and hunting knives, or fishing lines and nets? This point should be settled, so that future generations of lawyers will know better how to equip themselves for their journey through intangible incorporeal profession—the law.