

POPULAR ELECTION OF U. S. SENATORS NOW ASSURED; OLD GUARD LOSES

Senate Will Follow the House's Lead and Pass the Measure

Approval by Three-fourths of the States Considered Certain

By JAMES A. EDGERTON.

At last we are to have direct election of senators, not only in a few of the states, as now, but in all of the states. This will put another crimp in Uncle Joe Cannon and give "the interests" a case of the collywobbles. For twenty years we have been trying to put this thing over, but the senate itself got across the track. It is a striking coincidence that we are adopting the reform at the very time the English are doing things to the house of lords after which the senate was modeled.

Some of us thought we had won this victory at the last session, but we were just four votes too previous. Now a large bunch of statesmen from the red sandstone period—the Hales, Aldrichs, Depews, Keans, Bulkeleyes, Scotts, Dicks, Burrowses, Warners, Carters, Pileses, Flints and Youngs—have departed into ancient history, and a levy of progressive Democrats and Republicans have arrived in their places, giving assurance that this time there will be a different story.

Some people seem to think a thing is good simply because handed down from the carboniferous age. If God had been of the same mind the earth would still be inhabited by diplodocuses, Ichthyosaurus and ringtailed monsters. Progress got into the game, however, and now we have people that smoke cigarettes and go to moving picture shows.

Progress Finally Wins.

But it took progress a long time to make a dent on the senate. It could get the best of the pterodactyl, the mammoth and the cave man, but the senate defied it. Progress had the troglodyte groggy after the first few rounds, but it never feazed the senate. As the fathers made it, so is it today, except that it has more money. In the days of Washington and Adams the senate was long on back hair, in the time of Webster and Clay it was long on oratory, and at present it is long on bank books and the stock market. Sometimes also it is short of the market, but that is only when its inside information is bearish. The senate is a dignified body, willing to represent any one that looks like ready money. It has a brand of courtesy that, like charity, covers a multitude of sins.

The senate has a rule against applause, but seldom has to enforce it since nobody wants to applaud. It has no written rule against reform, but an unwritten one that is as strong as the laws of the Medes and Persians. I do not know how strong the laws of the Medes and Persians were, and neither does anybody else that talks about them, but it is a good phrase that has long done service. It is safe to say that they were stronger, for example, than the criminal clause of the anti-trust law.

Most senators look like perfectly nice men and are not at all imposing in appearance unless one looks at their rolls. By pocketbook measure their greatness is of tremendous girth. There are more millionaires in the senate than in any other body of equal size. They also look imposing to their constituents, and for a reason. The way they impose on these poor people is something scandalous.

A senator is a big noise in Washington, where money talks. If you do not believe that money talks in Washington you should attend one of its social functions or a session of congress. There are a few other talkers in the town, but for persuasive oratory money has them all tied to the post. The others may be more garrulous and have more rhetorical frills, but the long green brother is the vote getter. When he makes a remark something happens.

Lorimer and Bailey.

One of the members of the senate is Lorimer of Illinois, and another is Bailey of Texas. These gentlemen belong to different political parties, but what are party lines between friends? Bailey once resigned, and a few of us were decided into giving three cheers, thinking that he meant it, but it was too good to be true. There were also persistent efforts to have Lorimer resign, with nothing doing. Lorimer had too much trouble being elected and in keeping elected to resign. Perhaps it is just as well that he did not. That would have spoiled a most interesting investigation at Springfield and another and more interesting one yet to be pulled off by the senate.

The Lorimer case had not a little to do in crystallizing sentiment for direct election of senators. Public opinion was already for the change in a languid sort of way, but this made it bristle and show its teeth. Now everybody is for the proposition or everybody except Senator Heyburn. Uncle Joe Cannon and a few others. The house has passed it by an immense majority, enough of the states have endorsed it to compel a constitutional convention, and the senate is driven into a corner and must needs accept it willy nilly. It has been a long fight, and the outcome shows that public opinion can finally have its way

If it keeps of the same mind long enough.

House Passed It.

To bring about popular election of senators will require a constitutional amendment, which must pass both houses of congress by a two-thirds majority and be ratified by the legislatures of three-fourths of the states. The house majority was so overwhelming that it was almost brutal to record it. There were only 16 votes in the negative against 296 in the affirmative. Among those voting "no" were former Speaker Cannon and Minor Leader Mann. Both made speeches attacking the measure. Mann said that if this amendment were adopted it would be but a short time until the senators would be elected according to population. Cooper of Wisconsin mildly suggested that this could never be done under the constitution, and Mann rather vehemently asserted that it could. Cooper then got a roar out of the house by reading from the constitution the provision that the basis of representation of two senators from each state never can be changed until every state consents.

When the measure reached the senate its enemies had it referred to the committee on privileges and elections

bill last time the southern senator, who naturally favored the measure, turned tail and defeated it. That was fine work for the foes of popular elections. Now they are trying to do the same thing again. They failed in the house, failed again in the senate judiciary committee and are carrying their fight to the open senate. So plausible is the Sutherland amendment that even Theodore Roosevelt was led to say a word in its behalf. Yet its incorporation in the direct elections bill would probably mean the failure of the entire measure in this congress, as it did in the last.

That sort of defeat by indirection can hardly be brought about twice. Even if the Sutherland amendment should be adopted by the senate, which is not probable, the friends of the bill might still pass it in the belief that the objectionable clause would be cut out in the house. Then the issue could be fought out in conference committee. The Democrats and most of the progressive Republicans oppose the Sutherland amendment on two grounds—first, they say it is not offered in good faith, but is designed to defeat the bill; second, that as the senators represent the states their election should be controlled by the states.

Borah a Live One.

Senator Borah, who is in charge of the bill, is confident that it will pass and that the Sutherland amendment will not be incorporated. Borah was in charge of the measure last session, but the lame ducks got the better of him. Now the lame ducks have been taken by men with two good legs who stand with both of them for popular election of senators. For a young man Borah is a top liner. He knows things. He has the culture of books, but likewise the practical turn that comes from contact with flesh and blood men. "The two elements make a strong combination. Borah possesses



while its friends were not looking. This is the committee that has chloroformed every similar resolution since the year one. Several times the house has passed an amendment providing for direct election of senators, often by a unanimous vote, only to have it put to sleep in the senate committee on privileges and elections. Last session Senator Borah changed the track of the measure by having it referred to the judiciary committee, which reported it favorably. As soon as the advocates of popular elections advocated to the fact that their pet bill was going the old chloroform route, they raised the long yell, moved to reconsider, carried the motion and had the bill sent to the judiciary committee, which made a favorable report, just as it did in the last session. This assures the passage of the resolution by the senate. That three-fourths of the states will approve it goes without saying.

One Danger Point.

There is just one danger point. This is the Sutherland amendment. In the last session it was the Sutherland amendment that defeated the bill. It is innocent enough on its face, being a simple proviso that the federal government shall have charge of all senatorial elections. The southern senators say there is an African in this particular legislative wood pile. They charge that the amendment opens the way for another force bill; hence when the enemies of popular election of senators put that amendment in the

face of a cherub, but let no one be deceived thereby, for he is also a nifty fighter. He has to be since he hails from Idaho, which is also the state of Weldon Brinton Heyburn. Now, Heyburn wants everything that Borah does not, and vice versa. Heyburn is the kind of man that will fight all day over a technicality. He is so antagonistic it hurts him to agree with himself and so obstinate he makes a Missouri mule look yielding and tractable by comparison. Heyburn is as bitter in opposition to popular election as Borah is ardent in its favor. When the bill was reported out a few days ago Heyburn objected that the committee had acted on it in the morning, whereas to be perfectly regular it should have waited until afternoon, in consequence of which he would fight till he dropped in his tracks, etc. Things like this tend to make us all more amiable and charitable. Borah took it in a perfectly angelic way, however, and went on boosting the bill.

Even if the senate should reject popular election of its members the states and the people will compel the passage of the amendment. The constitution provides two ways whereby it may be amended—first, the two houses of congress may initiate the amendment by a two-thirds majority, as already indicated; second, two-thirds of the states may do the same thing. In that event congress must call a constitutional convention. Two-thirds of the state legislatures have already petitioned for this amendment, thus compelling congress to act.

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