



SEN. WILLIAM E. BORAH

Progressive Republican from Idaho who is fighting in the Senate for popular elections of Senators. "If this resolution shall pass the Senate in time to be acted upon by the House before the end of this Congress on March 4, the credit will be due to Borah and the progressive Republicans and Democrats who have stood with him."

consideration of amendments such as the Senator from Utah (SUTHERLAND) has suggested, and other amendments. THAT TIME MAY BE GIVEN FOR CONSIDERATION, AND THAT NO UNDUE HASTE SHOULD BE MANIFESTED AS TO THIS MATTER, I MOVE THAT THE SENATE DO NOW ADJOURN."

Upon the *Ayes* and *Nays* being demanded by Senator LA FOLLETTE, the Senate refused to adjourn in order to side-track the consideration of the resolution. To meet the request of Senators for deliberation, in order that the resolution might be studied and considered, Senator BORAH asked unanimous consent agreement that on January 24, *eleven days later*, the resolution be voted upon. HEYBURN OF IDAHO OBJECTED.

The System wanted delay, but it did not want an agreement to vote.

Carter Opposes "Hasty" Action

THE REMARKS of Senator CARTER of Montana explain somewhat the embarrassment of the situation. He arose to complain of the urgency with which Senator BORAH was pressing the resolution. In part he said: "Mr. President, I expect to vote for this joint resolution in some form or other. My vote will be cast in obedience to the request of the legislature of the State of Montana, rather than in conformity with any deliberation on my own part on the subject up to the present time. I think, however, it is wise to give this important matter due consideration."

When, in the last Congress, Senator OWEN moved to bring his resolution for popular election of Senators out of the pigeon-holes of the Senate Committee on Privileges and Elections and

"Old Guard" Use Dilatory Tactics

THE ALDRICH MACHINE, so eager to force through the Senate without consideration or explanation a tariff bill demanded by the interests, now demands the fullest discussion, the most careful deliberation, the most liberal opportunity for Senators to discuss the constitutional bearing and effect of a simple resolution demanded overwhelmingly by the people of the country. When it came up on the 13th of January, KEAN of New Jersey and GALLINGER of New Hampshire clamored for recognition to prevent consideration of the resolution. SUTHERLAND of Utah and DEFEW of New York came forward with amendments in the nature of "force bills" providing for federal supervision of elections to make the resolution impossible for Senators from southern States to support.

Senator HALE of Maine declared, "It will be resisted; it will not pass without debate; it will not pass without full con-

before the Senate for consideration, Senator CARTER was one of those who voted against the motion. He did not desire to deliberate upon the subject then. He was not in favor of allowing the Senate to consider it even. But now it is different. Senator CARTER's candidacy for re-election is pending before the legislature of Montana, which has memorialized Congress in behalf of such an amendment to the Federal Constitution. Now the Senator from Montana desires to appear as favoring popular election of Senators, though, of course, he is opposed to HASTY action. In two paragraphs, Senator BORAH disposed of the plea for "deliberation" upon this measure, as follows:

"Mr. President, I suggested a short time ago that a date far removed into the future be fixed for the final consideration of this joint resolution and the amendments thereto. The fact that this was objected to was conclusive to my mind that it was the

intention of some one that the joint resolution should not pass at all during the short session. That being true, the lecture of the Senator from Montana (Mr. CARTER) does not fall so heavily upon me as otherwise it might.

"This is a matter which has been up for consideration in one form or another before the American people and before Congress for 85 years. It has been discussed in the public forum, discussed in this Chamber by some of the ablest men who have ever occupied seats here, discussed at length in the House of Representatives, and discussed throughout the newspaper realm of the country for years and years. At least 31 States in the Union have approved of the principle covered by this joint resolution, and I have assumed that everyone has practically come to a conclusion with reference to this matter, important as it is. In urging the matter today I was actuated particularly by the fact that we are dealing with a short session, and I want to say that I am wholly without information that it is the intention of some who are opposed to the joint resolution that a vote shall never be taken during this session. If we could agree upon a day certain when the vote could be taken, I would unhesitatingly give any reasonable time, but without that I feel that we ought to proceed."

Playing Politics

THE OPONENTS of the resolution, by advocating the SUTHERLAND and DEFEW "force bill" amendments, by "baiting" Senators from the South and drawing them into discussion, not of the resolution for direct election of Senators, but of federal supervision of local elections, have gained much towards their obvious purpose of *delaying fatally action upon the resolution.*

Again, on the 16th of January, Senator BORAH sought to get a unanimous consent agreement that a vote should be taken on the resolution on the 31st of January. Again, Senator HEYBURN of Idaho was constrained to object. Only six weeks remained of the session, one of which must be given over to memorial services for deceased members of the Senate. Appropriation bills would be coming in and other matters would crowd in these closing weeks. Delay at this stage would serve the end of defeating popular election of Senators as well as successful and open opposition, and would be much less embarrassing to many of them. So, Senator BORAH's resolution had to give way to "real legislation"—the GALLINGER ship subsidy bill which the "leaders" had worked into a position of parliamentary advantage. And so, from day to day, action on the people's resolution has been prevented though the Interest's ship subsidy was passed.

Brought to a Vote

FEBRUARY 1, Senator BORAH again attempted to get the resolution up for action. His colleague, Senator HEYBURN, was willing that it be taken up for discussion, but objected if the purpose of the discussion was to dispose of the resolution, and the resolution went over.

On the 3d of February, after the resolution had been before the Senate for twenty days, Senator BORAH moved its considera-

tion. To prevent consideration of the resolution, Senator PENROSE of Pennsylvania came forward with a privileged motion that the Senate proceed in secret session to the consideration of appointments. On this motion Senators by voting for executive session voted in opposition to the amendment of the Constitution demanded by the people. The roll call was as follows:

FOR EXECUTIVE SESSION, 36.

Clark, Wyo.,	Curtis,	Guggenheim,	Page,
Crane,	Depew,	Hale,	Penrose,
Cullom,	Dick,	Heyburn,	Richardson,
Brandeges,	Dillingham,	Kean,	Root,
Bulkeley,	du Pont,	Lodge,	Scott,
Burnham,	Flint,	Lorimer,	Smoot,
Burrows,	Frye,	McCumber,	Warner,
Burton,	Gallinger,	Nelson,	Warren,
Carter,	Gamble,	Oliver,	Wetmore.

FOR CONSIDERATION OF THE RESOLUTION, 40.

Bacon,	Clapp,	Jones,	Simmons,
Bailey,	Clark, Ark.,	La Follette,	Smith, Mich.,
Bankhead,	Crawford,	Newlands,	Smith, S. C.,
Beveridge,	Culberson,	Nixon,	Stone,
Borah,	Cummins,	Overman,	Swanson,
Bourne,	Dixon,	Owen,	Taliaferro,
Bristow,	Fletcher,	Paynter,	Terrell,
Brown,	Foster,	Percy,	Thornton,
Burkett,	Frazier,	Perkins,	Tillman,
Chamberlain,	Gronna,	Shively,	Watson.

NOT VOTING, 15.

Alarich,	Gore,	Piles,	Sutherland,
Bradley,	Johnston,	Rayner,	Taylor,
Briggs,	Martin,	Smith, Md.,	Young.
Davis,	Money,	Stephenson,	

The PENROSE motion was defeated, but then it was urged that the Senator from Massachusetts, Mr. LODGE, and the Senator from New York, Mr. ROOT, desired to speak upon the resolution and that, under the usage of the Senate, action upon it should be deferred. The resolution was laid aside.

Where Responsibility Rests

SENATOR BORAH has been for nearly a month pressing this resolution upon the consideration of the Senate at every opportunity. Specious argument, filibustering amendments and "Senatorial courtesy" have been invoked to prevent action upon it. Less than three working weeks remain of the present session of Congress. If this resolution shall pass the Senate in time to be acted upon by the House before the end of this Congress on March 4, the credit will be due to Senator BORAH and the Progressive Republicans and Democrats who have stood with him in support of the resolution. If the passage of the resolution in the Senate shall be defeated or delayed until the crowded, closing hours of the Congress, so that its defeat in the House may be accomplished through manipulation of the CANNON machine, the responsibility will rest upon those Senators who voted for delays, for adjournments and executive sessions to prevent consideration of an action upon this constitutional amendment so widely demanded by the people. Its wisdom and justice is abundantly proved by a mere reference to the protracted "deadlocks" and contests which, for many weeks past, have occupied the time of several State legislatures, and to the revelations of corruption and "jackpot" government growing out of the election of one Senator, the discussion of which has occupied most of the time of the Senate during the present session, and in which a favorite argument of "the defense," advanced repeatedly by Senators on the floor, has been that such conditions are not exceptional in the election of United States Senators chosen as now prescribed by the Constitution.

THE SENATE REFORMING ITSELF

IT SEEMS that the Senate of the United States, like the British House of Lords, now finds itself in the somewhat embarrassing position where it must either take an active part in its own reformation or else put itself definitely and

conspicuously on record as opposed to the popular will. This situation became evident when Senator Borah (Rep.), of Idaho, supported by progressive Republican and Democratic Senators, succeeded in making the proposed Constitutional amendment providing for the election of Senators by the direct vote of the people the "unfinished business" of the Senate. This means that the matter must come up every day until a vote is taken; and Senator Borah, says the *Washington Post* (Ind.), is determined that the Senate shall declare itself in time for the House also to take action upon the resolution. Never before, say the Washington correspondents, has a strategic position so advantageous been won for this oft-advocated reform. Similar resolutions have often passed the House only to perish in a pigeon-hole of the Senate committee room. Senator Borah's success in getting the issue before the Senate is hailed by many of the correspondents as "the Waterloo of the Senate old guard," while the Washington representative of the *Philadelphia Press* (Rep.) pictures him, in language borrowed from the gridiron, as breaking through the lines of the old guard and placing the resolution "squarely in front of the enemy's goal." The failure of the

Senate to dispose of the matter at once by an unfavorable vote is generally interpreted as a reluctant recognition by the Senate of its own unpopularity with the mass of the voters. "Nobody would have supposed a few months ago," remarks the *New York Evening Post* (Ind.), "that the majority of the Sen-

ators could have been found to vote for consideration of the proposed constitutional amendment, when it had been so recently reported and only a few weeks remained of the session."

Senator Borah, who leads the fight for direct election in the Upper House, reminds his colleagues that the proposed change can not be dismissed as a hastily devised or ill-considered re-



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HE IS MAKING THE SENATE DISCUSS ITS OWN REFORMATION.

Senator Borah is leading the fight in the Senate for the direct election of Senators—a reform which, according to one of his colleagues, "means more to the people of this country than any legislation of modern times."

form, since "it has been before Congress session after session for 85 years." Moreover, "at least 32 States have declared in favor of the amendment or the principle." "And now," he adds, "after nearly a century of discussion and consideration, the sober second thought of the people, upon which the fathers so implicitly relied, is greatly in its favor." To quote further from one of his speeches, reported in *The Congressional Record*:

"One of the most conclusive arguments in favor of taking the election of Senators away from the State legislatures is that these lawmaking bodies may be relieved of an exceptional and unnatural and incongruous duty. Not only is it aside from any duty or function naturally attaching to legislative bodies, but it works to the great and almost constant embarrassment of such a body in its important and natural work. It has demoralized State legislatures more than any one single matter with which they have had to deal.

"In the last twenty years there have been a great many prolonged contests in State legislatures which illustrate one of the great evils of the present system. The entire session of the legislature was occupied in the electing of a Senator, to the exclusion of everything else for which they were called together. In some instances special sessions were called at great expense.

In some fourteen instances States have gone without full representation here because of deadlocks in the legislature. In other instances bribery and corruption have been charged and corruption and scandal have attached to the session. It is not alone that direct and open bribery sometimes prevails, but that which is equally as bad more often prevails—bills and measures are traded up or killed—the public

interest is sacrificed or actually bartered away, patronage and office enter into the deal, and the whole affair becomes a disgrace and is of itself sufficient condemnation of the present system.

"I assert, and I now challenge the presentation of anything to the contrary, that such a change would not work any change in the fundamental principles of government. The checks and balances are still there. The time and deliberation and conservatism are still there. The equal representation of the States is still there. The individuality and the representation of the whole State is still preserved."

Most of Senator Borah's support among his colleagues comes from Democrats and Insurgents. Senator Jeff Davis (Dem.), of Arkansas, assures the Senate that the final adoption of the resolution "means more to the people of this country than any legislation of modern times." He goes on to say:

"The people of the entire nation have become aroused upon this question as they scarcely ever have upon any subject presented for their consideration, and have just reason for being aroused. They feel that the Senate of the United States does not voice their wishes—does not heed their requests, does not legislate in their interests, and they demand that to which they

are entitled as of right, the power to select by direct vote the members of the Senate of the United States, as they do their members in Congress.

"There are potent reasons, to my mind, Mr. President, why this amendment should be adopted. First, because if the Senators were elected by the people directly, not through the means of legislative action, they would feel more deeply their responsibility and obligations to the people and would more readily heed their just demands. They would not feel that they are separate and apart from the people; they would not feel that their election was not due to the personal wishes of the people; they would be more careful of their official conduct, and legislation such as has been passed for the last quarter of a century would not be upon our statute books to-day, because, sir, men with far different views would doubtless be selected from the North, the East, the South, and the West than some who grace seats in this most honorable body.

"If the people had elected their Senators by their direct votes, the Payne-Aldrich Tariff Bill would not have been upon our statute books, making the rich richer and the poor poorer."

Senator Borah's resolution, as reported by the Judiciary Committee, provides that—

"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years, and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures."

For the fell purpose of sowing dissension among the friends of this reform, as it appears to many editors, two amendments to this resolution have been submitted. One of them, fathered by Senator Sutherland (Rep.), of Utah, proposes to add the following words:

"But Congress may at any time by law make or alter such regulations except as to the places of choosing Senators."

The other, submitted by Senator Depew (Rep.), of New York, touches on the same point in these terms:

"The qualifications of citizens entitled to vote for United States Senators and Representatives in Congress shall be uniform in all the States, and Congress shall have power to enforce this article by appropriate legislation, and to provide for the registration of citizens entitled to vote, the conduct of such elections, and the certification of the result."

It is argued by the authors of these amendments that the resolution as reported would practically remove the power of Congress to prevent the entire disfranchisement of negro voters in the South. The Constitution at present provides in Article I, Section IV, that—

"The times, places, and manner of holding elections for Senators and Representatives shall be as prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

The objection raised by Senators Sutherland and Depew, as stated by the New York *Tribune* (Rep.), is that the Borah resolution, "under the guise of simply transferring the right to elect Senators from the legislatures to the people, really seeks to nullify the control which the Constitution now allows the Federal Government to exercise over the election of Senators." In other words:

"It aims at an amendment of the Constitution at two points instead of one, and tho leaving the power of Congress to regulate elections for Representatives untouched, it surrenders

supervisory control of elections for Senators, while inconsistently proposing that Senators and Representatives be chosen hereafter on exactly the same basis.

"The fact is that Senator Sutherland's amendment does not provide for taking the power to control the time and manner of the elections from the State legislatures and reserving it to Congress. It merely aims at preserving the present constitutional status quo, while the resolution reported by the Senate Judiciary Committee aims at upsetting that status and ceding a prerogative now lodged in Congress to the States.

"Elections of Senators are now conducted under the provisions of a Federal statute. There has been no complaint of the oppressiveness of that statute. Elections of Representatives will continue to be held under Federal supervision. What good reason is there, therefore, for drawing distinctions in the pending amendment between the House and the Senate?"

The Tribune states its belief in another editorial, however, that the Borah resolution, even if ratified in its present form, would not "invalidate in any way the provisions of the Fourteenth Amendment."

On the other hand Senator Rayner (Dem.), of Maryland, an ardent advocate of Senator Borah's joint resolution, objects to Senator Depew's amendment on the ground that it goes "even farther than the force bills attempted to go," since it "shatters the Constitution of the United States to fragments by depriving the States of the right to say who shall enjoy the right of suffrage." Thus, remarks the *Brooklyn Standard Union* (Rep.), have the enemies of direct election "thrown a stone of Cadmus" among its armed friends "in the hope that it will make them fight among themselves and kill each other off."

Such strategy, however, thinks the *Omaha Bee* (Rep.), "can not really hope to do more than stave off the inevitable," and the same opinion is voiced by the *New Orleans Times-Democrat* (Dem.). It is certain that 90 per cent. of the people are in favor of this reform, declares Senator Bourne, president of the Progressive Republican League.

One of the most outspoken and uncompromising opponents of the proposed reform is Senator Lodge (Rep.), of Massachusetts. His opposition is directed not merely against the form of Mr. Borah's resolution, but against the underlying principle of the direct election of United States Senators. In a speech before the Senate he says:

"Reduced to its simplest form, an amendment providing for the choice of Senators by direct popular election is merely a proposition to convert the Senate into a second House of Representatives, with two Congressmen at large from each State, who are to be called Senators and to hold office for six years. The only difference between these Senators and the members of the House will be in the size of the constituency and in the greater length of the term, which, from the point of view of those who advocate the amendment, seems to me, strictly speaking, illogical.

"We are now told that popular government has been lost in the half century which has elapsed since Lincoln's death; that 'the interests' have taken possession of Congress and courts and legislatures, and that the only escape is to be found in radically changing our organic law.

"The Government has proved abundantly able to check the influence of money, which is as dangerous as it is insidious, and to put an end to unwholesome political power in great combinations of capital, whether in transportation, industry, or finance. Any danger of the moneyed interests getting even partial control of the Government or acquiring undue political influence has been brought to an end in the last ten years.

"Just now the financial, business, and corporate interests of the country seem more concerned in trying to find whether they are to be allowed to live and breathe than in seeking to control anybody else, in politics or out of politics. It has been a great and important work. I have seen the moneyed interests in the plenitude of their political power and I have witnessed their political decline, which has been reasonably complete. The particular peril of money taking control of the national Government will not, in my opinion, ever return."

Several papers remark regretfully that they can not share Mr. Lodge's conviction that the peril of money taking control of our Government is past. Others point out that whatever the sentiment of the Senate may be in regard to this proposed reform, its hand will soon be forced. This point is specially emphasized by the *New York American* (Ind.), in which we read:

"When TWO-THIRDS of BOTH houses of Congress do not propose an amendment to the Constitution, the only way in which the people can obtain such amendment is through the application of the legislatures of TWO-THIRDS of all the States. Here are the names of twenty-seven States that have now DEMANDED that a Constitutional Convention shall be called to provide for the direct election of United States Senators by the people:

ALABAMA,	LOUISIANA,	OKLAHOMA,
ARKANSAS,	MICHIGAN,	OREGON,
COLORADO,	MINNESOTA,	PENNSYLVANIA,
IDAHO,	MONTANA,	SOUTH DAKOTA,
ILLINOIS,	MISSOURI,	TENNESSEE,
INDIANA,	NEBRASKA,	TEXAS,
IOWA,	NEVADA,	UTAH,
KANSAS,	NEW JERSEY,	WASHINGTON,
KENTUCKY,	NORTH CAROLINA,	WISCONSIN.

"Two other States—California and Wyoming—have asked Congress itself to frame the amendment.

"These have only to restate their demand, and then only two will be lacking of the thirty-one State mandates necessary for the calling of the Constitutional Convention.

"The whip of constitutional compulsion is in the hand of the nation—and the Senate is under the lash. New York has not yet spoken, nor Ohio, nor the six New England States. It lies in the power of any four of these—or of eleven other States—to bring the Senate to its knees within a week."

In the mean time a number of States, aiming to get around our present Constitutional requirements without violating them, have introduced the nomination of candidates for United States Senators in State-wide direct primaries. This, according to the *American Year Book*, is the practise in all the Southern States except North Carolina, and in eleven Northern and Western States. Oregon and Nevada have gone even farther, their method being tantamount to election by direct popular vote.

The National Ostrich

AS THIS ROLL CALL is written, the United States Senate is still trifling with the country's demand for the election of Senators by direct vote of the people. In a recent issue the tedious, snail-like progress of the resolution to submit to the States the required amendment to the Federal Constitution was reported. The situation continues practically unchanged. Day after day, the resolution has continued before the Senate. Day after day, the wearying, unending discussion has been dragged out—discussion not of the resolution,—not of popular election of Senators,—but discussion of the distracting, SUTHERLAND "force-bill" amendment, an amendment thrown out to enmesh and strangle the people's measure, which the opposition dare not attack squarely and openly.

For days the "constitutional luminaries" of the Senate have addled their brains in the absurd effort to show that the SUTHERLAND amendment is needed to enable Congress to secure the rights of the qualified electors of the several States to cast their votes without fraud or intimidation in the election of Senators. Of course, the States always have, under the Constitution, and always will prescribe the qualifications of electors within their jurisdiction. That is guaranteed in the Constitution as it is and cannot, at least not now, be changed. Nor does the SUTHERLAND amendment propose to change it.

Qualifications Fixed by States

THE QUALIFICATIONS FIXED by the states for electors of the most numerous branch of the state legislatures are adopted by the terms of the Constitution as the qualifications for electors for Members of Congress. Every citizen, qualified under the laws of his state to vote for members of the most numerous branch of his state legislature, is guaranteed by the supreme law of the land the right to vote for Representatives in Congress.

Under the BORAH resolution he will become entitled to vote likewise for United States Senators.

The right of every elector so qualified to vote can be protected and enforced by Congress. The Supreme Court has held so often that it has become elementary in constitutional law that Congress can NOW enact and the federal government can NOW enforce any law needed to secure any and every right guaranteed by the Constitution.

To this broad and ample power the SUTHERLAND amendment can add nothing. Nor is it in good faith so designed. ITS PURPOSE IS SOLELY TO DEFEAT, IF POSSIBLE, THE AMENDMENT FOR POPULAR ELECTION OF SENATORS, either by so amending the resolution that it will not receive the votes of two-thirds of both Houses necessary to its passage, or, failing that, so that it can not receive the requisite approval of three-fourths of the states.

There are many States of the South where the memories of "force-bills" and of "carpet-bag government" are inextinguishable and where direct election of Senators, otherwise universally desired, would be spurned as unspeakable if coupled with such a provision as the SUTHERLAND amendment. Also, there are Republican states in the North where progress has been made in the popularizing of primaries and elections, and where the people would be most reluctant to forego the control of their election machinery which they have so long labored to improve and perfect, even to obtain popular election of Senators,—much as they long for that necessary reform.

Specious Pleas

AND THIS is what the SUTHERLAND amendment proposes and is why the SUTHERLAND amendment is proposed—BECAUSE IT IS IMPOSSIBLE. To advocate such a proposal with

specious pleas of protecting the purity of the ballot and to arouse a false sentiment for it by suggestive references to the "grandfather clauses" of the constitutions of Southern states are but fitting embellishment for the whole fabric of perfidy. Not a "grandfather clause" can be reached by it, nor a featherweight be added to the power of the government to protect the purity

of any election by which is filled a single office under the Federal Constitution.

Senator BORAH, in an able speech in the Senate, told the System reactionaries to their teeth and in language, sturdy, frank and unmistakable, the naked truth back of their cheap chicanery when he said:

"Mr. President, the friends of the resolution for the election of Senators by popular vote have always found it very difficult to draw a resolution satisfactory to those who are opposed to it. It is not difficult to draw a resolution which satisfied those who are sincerely in favor of the election of Senators by popular vote, but it has always been a difficult matter for the friends of the movement to so frame a resolution that it would satisfy those who are always opposed to it.

"In 1902 a resolution was offered in this Chamber containing the simple proposition of the election of Senators by popular vote. It was unmingled with any other question. It went to the committee. The Senator from New York (Mr. DEPEW), finding the resolution simple and direct, covering the proposition, immediately proceeded to amend it, and he made it a rather complex proposition. I desire to read the amendment which was offered at that time—at a time when the resolution contained but one proposition—because that amendment appears again.

"The qualifications of citizens entitled to vote for United States Senators and Representatives in Congress shall be uniform in all the States, and Congress shall have power to enforce this article by appropriate legislation and to provide for the registration of citizens entitled to vote, the conduct of such elections, and the certification of the result."

"I do not think that I do the Senator from New York an injustice when I say that that amendment was offered for the purpose of killing the resolution, and that it did so. The amendment was offered and accepted, and the resolution and the movement in its behalf, of course, had an abrupt end.

"So when this pending joint resolution came into the Senate from the committee the Senator from Montana (Mr. CARTER) announced that he was not going to support the joint resolution freely, but rather under duress, because his legislature had commanded him so to do. But when the SUTHERLAND amendment was offered, in the eloquent address of the Senator from Montana on the subject, he appealed to us to give him a simple proposition, one which he could support, one in which the people had been interested for years and years, and not to trouble the minds of those who were sincerely in favor of the joint resolution by mixing it up with other propositions.

"So, Mr. President, *this amendment offered by the Senator from Utah has been THE SOURCE OF GREAT COMFORT AND SOLACE TO ALL THOSE WHO ARE OPPOSED TO THE JOINT RESOLUTION.* It has enabled them to erect a bulwark behind which they can shoot to death the original joint resolution and avoid the necessity of

presenting to the country some reason why this main joint resolution should not be adopted."

From News Mar 2/11
Dayton, Ohio.

ELECTION OF SENATORS.

As expected, the United States senate has refused a resolution having for its purpose the amending of the constitution so that senators shall be elected by popular vote. Instead of by state legislatures, as at present. But the rejection of the resolution was by such a narrow margin it was really a victory for reform, for it shows the tremendous advance being made in the right direction.

It required a two-thirds vote of the senate to adopt the resolution, and still it failed by only four votes. It is generally believed that when the senators whose times expire March 4 are succeeded by those already elected to take their places, the resolution will have the two-thirds majority and will become operative at the coming session of congress.

A study of the vote for and against the measure is interesting, and ought to be the best arguments in the world in favor of a change in electing senators. While there were good men voting both ways, the vote shows such a preponderance of senators voting against the proposition, and who could not be elected by the people, that there can be little doubt but the senate would be greatly improved by a popular election of senators. In other words, most of those voting against the measure secured their election to the senate through hook or crook, and could not hope to be elected by the people. Most of those favoring the measure would have nothing to fear by going before the people.

The senators from this state did not stand together. Senator Burton voted in favor of the reform. Senator Dick voted against it. Dick's time expires March 4, and it may not be proper to criticize the dead—politically or otherwise—but in passing one can not help feeling that Dick was consistent. He would stand no show whatever of being made senator through a popular vote of the people; stranger things have happened than such men as he working their way through a state legislature. If Dick

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has any idea of ever again reaching the senate, of course, he does not want a popular election of senators.

Then, there were such men as Burrows, Gallinger, Hale, Heyburn, Lodge, Lorimer—think of it, Lorimer; of course, he doesn't want senators to have to go before the people for election; and Penrose—he of Pennsylvania; and Smoot, the Mormon; and Kean—as fine a list of legislative-made senators as ever was printed. Not one in the bunch named would stand a ghost of a show of getting into the senate save through political trickery.

Among those voting in favor of the measure were the braib, brilliant, fearless men of the senate—an army of men who are not suspected, who would stand a chance of being elected by the people should they run for office at a popular election. There was Bohan and Bourne from the far West; and Beveridge, Bristow, Gola, LaFollette, Rayner and so on, incomparably greater than those lined up against the measure.

It was not a vote between standpatters and insurgents. There were standpatters who had heard the rumblings from the masses and who unquestionably voted in favor of the measure for political effect. There was Smith, of Michigan, for instance—a standpatter from away back. He voted for the popular election of senators because his state is in favor of it, and lately voted his friend Burrows out of the senate. Then, there were insurgents who voted against the resolution—but why no one seems to know. So it was not a vote between standpatters and insurgents.

Whatever may have been the exigencies of the past, the fact remains that our present method of electing senators is obsolete and must be reformed. Many states have already devised machinery for overcoming the constitutional provision for the election of senators, and others will do so if the constitution is not changed. Hence it would be well to change the constitution, and make the election of senators by popular vote mandatory rather than to allow the constitution to remain in force as a dead letter, as is the case now with the presidential elections.

*From Tribune - Mar. 2/11
Cantley, Oregon.*

DIRECT LEGISLATION ALMOST CARRIED

The U. S. Senate set a mile stone in progressive legislation when it cast its first vote in history on the proposed constitutional amendment providing for the direct election of United States Senator by the people. Resolution after resolution in the form of a memorial have been sent the senate by the legislatures of the different states in behalf of the direct election of U. S. Senators, but of no avail; time and again the more progressive and farsseeing politicians and statesmen have urged its passage in the senate, but not until the present session have their efforts been rewarded with success as but four votes were lacking to secure the necessary two-thirds majority.

Senator Borah of Idaho, who has led the fight, feels highly elated over the victory so far won, and says in part:

"The resolutions will be again introduced at the first session of Congress, regular or extraordinary, and urged unremittingly. The friends of the measure may rest assured that the matter will not be permitted to be forgotten. The next Congress, in my judgment, will pass favorably on the resolution."

*From Transcript - Mar. 2/11
Verada City, California*

ELECTION OF SENATORS.

The resolution presented by Senator Borah for the direct election of United States senators has been defeated by the senate by a vote of 54 to 33. It requires a two-thirds vote of the senate to adopt an amendment to the constitution which the resolution did not get by a long way. Senator Borah says he is not discouraged and will press the reform again at the next session of congress with the belief it will carry. He is probably right in predicting success, for the next session of congress will show an entirely different personnel in the upper house.

The friends of progressive government regret the defeat of the Borah resolution. They believe the time has come for the election of senators direct instead of through the legislature. The voters of this state have held the opinion for a long time that the members of the upper house of congress should be chosen in the same manner as congressmen, and they have had their wish expressed in resolutions that have been sent to Washington instructing the senators from California to vote for the reform.

However, the reactionaries of the senate managed to get a "bug" into the Borah resolution in the form of an amendment to the effect that congress should have control of the elections instead of the states. This amendment apparently gave offense to the senators from the south—whether real or feigned we do not know—and they voted against it. Generally something of this kind happens at the crucial moment to defeat a salutary reform.

From Ledger, Mar 1/11.
Tacoma, Wash.

DIRECT ELECTION OF SENATORS DEFEATED.

Failure of the Borah resolution for direct election of United States senators will probably lead to a more general use of such a substitute as prevails in Washington and several other states. Legislative deadlocks, which have been numerous this year, constitute a powerful argument in favor of a change from the old system. Two or three legislatures may adjourn without choosing senators.

There is much discontent over the time consumed by legislatures in voting vainly on senators and over the political machination that enters into the consideration of measures in no way fairly related to the senatorial question. The election of United States senators in Washington since the direct primary law was enacted has taken but a few minutes of the time of the legislature. Under the federal constitution the legislature must elect, but the direct primary provides for a way to instruct the legislature so that the will of the majority party is carried out.

Our system has not been wholly satisfactory. The republican party is strong in the majority, but it is not free to choose a candidate without interference. Democrats in large numbers went to the polls last year when the primary election was held and called for republican ballots. Presumably they voted for the candidate for United States senator they thought held democratic views. Some way should be found to change the law so as to assure a fair expression of the will of a party. If that could be done, there would be little criticism of the direct primary method of choosing United States senatorial candidates.

The vote on the Borah resolution, with the Sutherland amendment, was rather close—54 ayes and 33 noes. It takes a two-thirds vote to pass a resolution for a constitutional amendment. When the question of adopting the Sutherland amendment came up last week the vote was 59 ayes and 37 noes. Had the amendment not been adopted it is quite probable that the fate of the resolution would have been the same. Numerous senators in favor of direct election were nevertheless opposed to giving the states full power to say how a senatorial election should be conducted. Borah's resolution would have taken from the federal government power to supervise. That is the opinion of many of the best thinkers in the United States, would have been dangerous for the national government. The time might have come when the hands of the nation would have been tied by the states. The Suth-

erland amendment retained supervisory power in the federal government. Whether it was introduced as a clever way to kill the Borah resolution or not, the fact remains that the national government should be competent to deal with elections of senators and representatives whenever it is deemed necessary for the national welfare. The history of this country affords lessons showing the wisdom of the Sutherland amendment.

Date MAR 2 - 1911

IN PROCESS OF TIME.

The power of public opinion and the importance of keeping everlastingly at it were illustrated in the Senate Tuesday in the vote on the Borah resolution, when the popular election of Senators failed of approval by only four votes.

— This is a reform which has been discussed for more years than any of us can remember. For at least a generation it has been slightly commented upon by the practical as an academic and harmless plan, commending itself only to college professors and other folk remote from the frontier of actualities. For the most of this time Idaho lay a wilderness under the wheeling constellations of the North, inhabited by the elumron and the silver-tip and crossed from time to time by the prospector and the fur trader.

But Idaho is now a sovereign State; Will Borah, who used to practice law in Lyons, Kas., has left the land of the sunflower for the mountains of the Western Slope and has finally landed in the Senate at Washington. And direct election of Senators has ceased to be a dream of the doctrinaire alone. It has elbowed its way in among the pet plans of older statesmen who were learned in the law before Borah knew the difference between a tort and a posse comitatus.

All of which illustrates the fact that other things than the sun "do move."

The Globe

Thursday, March 2, 1911

Every Idahoan who is following the progress of the bill bearing upon the election of senators by direct vote of the people, must have read with deep satisfaction and pride and an added sense of state dignity and importance, the speech made by Senator Borah in the discussion of the proposed amendment to the direct election bill, as introduced by Senator Sutherland of Utah, with the purpose of defeating the bill by the alienation of the support of the vote of the representation from the south through race prejudice. This is the speech in which Mr. Borah addressed himself with such directness and truthfulness to the hypocritical attitude assumed in the matter of protecting the negro in his rights, not only as a voter, but in industrial pursuits, and which was quoted and commented upon the country over. But above and beyond the able remarks upon "man's inhumanity to man," was the attack which Mr. Borah made upon the treacherous amendment with which the opponents set out to slaughter the bill in the interest of the people which he had been working so arduously for many weeks to have passed. He sustained his position in the discussion of the constitutional points against the combined legal ability of the opposition, including Senators Sutherland, Curtis, Root, Young, Nelson, of Minn., Carter, Clark, and his colleague, Mr. Heyburn, and others, ranging from Maine to the extreme northwest, and did it in such a pleasant and dignified though effective manner, as to win general sympathy and applause. In addition to his thorough equipment legally for such discussion, Idaho's junior senator has a keen sense of humor, a ready wit and a tongue as sharp and stinging in repartee as it is eloquent and persuasive

in oratory, and in the sustained dialogue of question and rejoinder there were many sharp passages at arms, in which some of the opposition, Messrs. Nelson and Carter, among others, had their tempers somewhat ruffled, but out from which Mr. Borah came smiling and unperturbed. While the two-third vote necessary to amend the constitution as asked by Mr. Borah fell short four votes, being 54 to 33 in its favor, Mr. Borah in one sense achieved a great victory. There is probably not a man in the senate today who attracts more attention and favorable comment, or who stands higher in the esteem of his fellow law makers or whose counsel is more sought than Idaho's junior senator. Still Mr. Borah is human, very human, and his home people know it, and that, with his other commendable qualities, is why they like him and stand back of him, and are ready to overlook and condone such mistakes as he, like any other real human man, is liable to make. Perfection is not expected or exacted, but reasonable ability, with honest and diligent application of the same for the best interests of the people of his state and nation, and that something after the manner of the people's own ideas of their needs, is expected of a representative, and in Mr. Borah the people are realizing those expectations, and are consequently satisfied with him.

DIRECT ELECTION OF SENATORS.

The prediction of *Our Free Press* that the Borah amendment providing for the direct election of United States senators would stand an excellent chance of being submitted to the states by the present senate if it were short of the desirable provision for state control of senatorial elections, has been verified by Tuesday's vote.

While the previous adoption of the Sutherland amendment, which conferred the federal government in its control of all congressional elections, alienated a number of southern senators who have been seeing things with regard to the negro vote, it held to line a much larger number of senators for the main proposition, senators who otherwise would have voted against the Borah plan, not because of hostility to the direct election idea, but of hostility to the abrogation of federal control.

As it was, the vote was but four shy of the two-thirds majority necessary to submit a constitutional amendment and a survey of the next senate makes it seem a matter of almost absolute certainty that far more than four votes will be added to the "yeas" on a similar constitution.

While we do not believe that the popular election of senators will possess the penance virtues which its advocates claim for it nor yet those dangerous possibilities foreseen by the constitutional Casanovas, we do believe that the popular demand for this constitutional change has been sufficiently protracted and insistent that the senate is under obligation to submit the question to the referendum of the states.

But let no citizen hope that any extension of the electoral privilege is going to result in better and more representative government unless the people themselves improve.

If the people today were generally capable of electing honest and representative legislatures there would be no demand for removing their constitutional power to elect United States senators. Yet the people, while confessing their failure to choose good legislative timber by this very demand, inconsistently assume that they, the chief culprits, should have their powers increased.

Decreasing the responsibility of legis-

lature and weakening their powers will not make them more representative. Human nature being human nature, it will tend to their deterioration rather than their improvement.

The surest cure for misrepresentative government ever lies in an alert, conscientious and intelligent citizenship that chooses its public representatives with the same care that it would choose its business employees and then instead of decreasing their responsibility increases it and concentrates it wherever possible.

*From Star of Zion
Charlotte, N.C.*

Mar. 9/1912

Race Issue Defeats Popular Election of Senators.

The Borah bill providing for the election of United States Senators by the vote of the people in the several states as beaten in the Senate Tuesday. Four votes necessary to make the two-thirds required for the submission of a constitutional amendment could not be had and the measure went down to defeat. The Borah bill had some meritorious features, but its passage would have been a menace to the suffrage of the Negro in the South, for it permitted the States to adopt their own election laws. The Sutherland amendment giving Congress control of the elections settled the fate of the measure, for with the federal supervision the entire structure of "grandfather clauses" might have fallen to the ground. The Sutherland amendment was tied to the Borah bill, and the votes against the new proposition cast by the South, together with such northern opponents of the system on its merits as Root, Depew, and Brandegee, put the popular election agitators out of business. Had there been no injections of the race issue, in all probability the bill would have pulled through by a small margin.

Reform of the United States Senate a Certainty in the Near Future

THE vote in the Senate yesterday on the Borah resolution showed the weakness and desperation of the reactionaries.

Their ranks—once so compact and confident—have been riddled, and their fight now is the fight of fleeing men.

It was, of course, foreseen by The American and all competent observers that a two-thirds vote for the popular election of Senators could not be expected from the United States Senate as constituted until March 4.

The American's laborious campaign in forty-six State legislatures was planned on that assumption. Yesterday's vote proves the good sense of The American's plan, since it proves the need of applying to the Senate the coercion of the State legislatures as provided by the Constitution.

With nearly three-fourths of the States already united for a Constitutional Convention, and the entire unanimity of the States practically assured, the resistance of a somewhat disreputable fraction of the Senate becomes a kind of border ruffianism or modern Shay's rebellions—more exasperating than formidable, and more picturesque than sane.

The success of this national movement is as sure as to-morrow's sunrise. **THE AMERICAN WILL GO AHEAD WITH ITS WORK OF CLEARING THE WAY FOR A CONSTITUTIONAL CONVENTION.**

An extra session of the Sixty-second Congress may, by quick action, make the convention unnecessary. Otherwise the convention will meet.

For the American people have no superstitious reluctance about improving the Constitution—by the means that the Constitution provides. The people are tired of machine-made Senators—sick also of the mangling of public business when the machine slips a cog or two.

The long-drawn, lacerating deadlock in the New York Legislature is an illustrative example of how not to make Senators.

It is plain enough to everybody that the political paralysis that has recently descended upon Albany and several other State capitals is wholly due to the fact that, as things now stand, Senators are not chosen to represent the public, but to represent the private interests that the Boss represents.

HAGERMAN, N. M.

Messenger. Mar 3/11.

Borah Bares Scheme.

The speech of Senator Borah, of Idaho, on the resolution providing for the election of United States senators by popular vote, is worthy of serious consideration. If it develops but the one fact, that the negro is given the equal consideration in the south that he is in the north, it will have accomplished much. Coming from a Republican senator, representing a northern state, the speech will command all the more attention as to the attitude toward the colored race displayed in various sections. His address was singularly forceful, presenting to the senate the truth of the situation in a manner to give that body a shock such as it has not experienced in recent years.

He was speaking in reply to Senator Root, of New York; Curtis, of Kansas; Carter, of Montana, and other representatives of the interest that prey, and who are endeavoring to hamstring the pending resolution with an amendment that will deprive it of the support of the southern members. He demonstrated that northern politicians had long maintained a position of hypocrisy and moral cowardice with respect to the negro question, and proved conclusively that the north gives the black man no better treatment than the south, if as good.

It might be well, in this respect, and in connection with the senator's frank exposure of the situation, to consider the relative enormities of one alleged crime, the partial disfranchisement of the negro in the south, and the certainty of another, his wholesale bribery and deceit by the white politicians in the north. The moral effect is certainly greater in the latter case.

It is a patent fact, as pointed out by the senator, that the northern repub-

licans have obtained from their own conduct no right to charge the southern democrats with race discrimination. This mistreatment of the negro in the north, and there are many instances of it, both in the matter of the franchise and others arising upon social crimes, has, if anything, been worse than any repression the south ever attempted. The crime and lawlessness of many northern mobs in cases of blacks accused of one heinous crime are matters of frequent report. The senator pointed out in an unsparing way that for forty years the republican party in the north has charged the south with mistreatment of the negro and never in that time has attempted to better his treatment.

The old cry of slavery is raised, as he stated, with force and truth, not to benefit the condition of the negro in any way, but to perpetuate a system that makes only for special privileges and corruption in the elections to the greatest legislative body in the world. The whole scheme is one of false pretence, designed to mislead the sentiment of both whites and blacks. Should the resolution be defeated the ranters against domination of the negro would conveniently forget him, as they have done for the past 30 years.

The direct election of senators does not curtail in the slightest degree the power of the federal government to protect all citizens in the rights guaranteed them by the constitution. But, as Senator Borah showed, the constitution leaves to the state the determination of the qualifications of its own voters, beyond the power of federal interferences.

Possibly the greatest crime against the electorate of the whole nation, which Senator Borah's address suggests, is the use of the negro vote through debauchery in the south to influence the election of delegates to the republican national conventions.