

# When Congress Should Convene

Senator John F. Shaffroth of Colorado, has introduced a joint resolution relating to the meeting of congress. An interesting description of this resolution was written by Senator Shaffroth and printed in Leslie's Weekly. Here it is:

At the opening of congress I introduced in the senate a joint resolution, providing for the adoption of a constitutional amendment, as follows:

## ARTICLE XVIII

"Section 1. The terms of the president and vice president of the United States shall commence on the second Monday in January following the election of presidential and vice presidential electors, and such electors shall assemble at the capitols of their respective states and cast their votes for president and vice president on the first Monday in December following their election.

"Section 2. The terms of senators and representatives shall commence on the first Monday in January following their election.

"Section 3. There shall be held two regular sessions of congress convening on the first Monday of January each year."

Under the present system congress is elected on the first Tuesday in November of the even years and does not convene in regular session until the first Monday of December of the year following. What a travesty upon representative government is the meeting of congress thirteen months after its election! What a delusion is the statement that representatives come fresh from the people! What an opportunity is afforded to forget the pledges made at the election! It is true an extraordinary session may be called early, but such sessions are limited generally to one subject and are not usually favored by the people. It is essential to good government that the expressed will of the people by crystallized into law at the earliest practical moment.

The terms of office of senators and representatives expire on the 3rd day of March, and now the second regular session is held during the three months immediately preceding. This second regular session is held after the election of the new congress, and after many of its members have been repudiated by the people. To permit such senators and representatives, after they have failed of election, to still represent their constituents is contrary to every principle of our government.

Often there is a complete political change of administration, but under the present system we have the representatives of the old political party for three months after defeat, passing laws directly in conflict with the last expressed will of the people. Not even the legislative bodies of monarchies are permitted to so misrepresent their constituents. An examination of the statutes at large will disclose that outside of the general appropriation and private pension bills three-fourths of the legislation of a congress is enacted during the second regular session.

The record of each senator and representative should be completed before he comes before his constituents for indorsement. After he has been turned down by the people he is not in a fit frame of mind to legislate in their behalf. If he is open to the temptation of a bribe, then is the time it is offered and received. Even those who are not subject to temptation often lose interest in legislation after failure of election. It is well known that defeated members, during the closing session, often absent themselves for weeks and sometimes months.

A session should not be held which is brought to a close by constitutional limitation. Measures in behalf of the people are often defeated thereby. By postponing many measures to the expiring days of the limited session, such a congestion of bills is effected as often precludes the consideration of measures most intimately connected with the welfare of the people.

The meeting of congress thirteen months after the election produces a most inequitable result in contested election cases. The term of a congressman is nearly half served before the committee can enter upon the consideration of his case, and it is not brought to a vote in the

house until 15 to 24 months after the commencement of the term. The government in the meantime pays the salary to one who serves and also to the contestant, should he be seated. During all that time the congressional district, at least politically, is misrepresented.

The time for the convening of congress on the first Monday in December is very inopportune. An adjournment of two weeks for the Christmas holidays is always taken and many members go to their homes, returning late. No real work is done until January.

Heretofore it has been deemed inexpedient to pass this constitutional amendment because senators were not elected by the legislatures until the middle of January, and sometimes not until February or March. Then the warm season would be too near to permit the holding of a long session of congress for the consideration of general legislation, but since senators hereafter are to be elected by the people, at the general November election, it becomes very opportune for congress to convene in January.

This is one of the most important reforms needed in our government; because it relates to the procedure by which all reforms can be enacted.

Equally strong reasons exist for the change in the terms of the president and vice president. They should enter upon the performance of their duties as soon as the new congress can count the electoral votes, just as the newly elected governors of our states are inducted into office as soon as the new legislatures of the states canvass the votes and declare them elected. As it is now it is the old congress which counts the electoral votes.

After a very close election, which changes the political complexion of an administration, it is dangerous to permit the defeated party to retain control of the machinery by which such important officers are declared elected. Under our constitution, upon the failure of any candidate to receive a majority of the electoral votes, it devolves upon the house of representatives to elect, the representation from each state having one vote. This a present is done not by the new congress, but by the old one. Thereby it is possible for a political party repudiated by the people to elect a president. This is a clear violation of the principle of representative government.

The constitution further provides: "If the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice president shall act as president, as in the case of death or other constitutional disability of the president." What a temptation for delay and for the defeat of the true choice of the people!

The fact that the weather of January would be inclement for an inaugural parade is too insignificant a reason to prevent the adoption of a constitutional amendment which promises so much for good government. Why should we have in a republic the great pomp and ceremony which usually attend the coronation of monarchs? If we must have them, why can not they be in the nature of celebrations at some seasonable time?

True representative government requires that congress should convene soon after the election thereof and the executive officers should commence their administration without hindrance or delay.

## THE POSTOFFICE "MERIT" ORDER

There is nothing unexpected in the executive order relating to the 50,000 fourth-class postmasters who were placed within the classified service by the eleventh-hour Taft order of October 15. President Wilson, whose devotion to the merit principle needs no further proof, has directed an examination to test the efficiency of the incumbents, as well as of other applicants. The offices are not recaptured by the spillovers; the new executive order merely corrects what was defective and "political" in the Taft action, which was much criticised at the time even by earnest civil service reformers. If the tests are to be fair and businesslike, and if in making the appointments the heads of the departments will permit no politics or partisanship to influence their decisions, no friend of merit and efficiency will have cause for regrets or complaints.

Sweeping orders or statutes placing thousands of men within any classified service with-

out examinations or other tests have been justified or excused in the past on the practical ground that in no other way can progress away from spoils be made.—Chicago Record-Herald.

## AN OBJECT LESSON

"Saved from Subsidy or the Tariff That Did Not Happen," is the title of an interesting story written in brief form by Louis F. Post in the Public. Mr. Post says:

"The value of commercial freedom has been strikingly illustrated in the economic history of the city of New Bedford, Mass. Fifty years ago this town was the center of the American whaling industry. It sustained a fleet of valuable whaling vessels which built up many private fortunes. When mineral oil was discovered in Pennsylvania and Ohio the sale of whale oil began to diminish, and soon the whaling industry was practically abandoned. Numerous vessels were lying idle at the docks; New Bedford was in despair. If the discovery of the mineral oil had occurred in a foreign country the tariff treatment would have been instantly applied; a gradually increasing duty would have been imposed, and New Bedford would have taxed the whole country to support her diminishing trade. Fortunately for the stricken town the use of the tariff weapon was not possible. For a very brief period New Bedford sat down to grieve over her ruined fortunes. Then she picked herself up, and established a group of manufactures which have immensely increased her wealth and which are indefinitely multiplying her population."

## KIND WORDS

Sacramento Bee: The Alameda Times-Star says Bryan has followed "a wonderfully sinuous course" in the past sixteen years; and that "he has, as a Transvaaler would say, leaped from kopje to kopje."

That is the language of flippant ignorance. If there be one public man above all others in this union who has stood firmly by his principles through all these years, that man is W. J. Bryan.

He has lived to see what was denounced sixteen years ago as Bryan radicalism become not alone the shibboleth of the progressive party, but as well the pillar of cloud by day, the pillar of fire by night of President Woodrow Wilson.

And the great secret of his strength with the American people is that they feel he is thoroughly sincere and in earnest in all he does, and that he stands by his principles and never changes with the changing winds of politics.

Mr. Bryan's Selected Speeches. Revised and arranged in a convenient two-volume edition. These books present Mr. Bryan's most notable addresses and orations, and cover the chief important phases and features of his career as an orator and advocate. A familiarly intimate and interesting biographical introduction by Mary Baird Bryan, his wife, opens Volume I. The two volumes, bound in cloth, sent to any address prepaid on receipt of price, \$2.00. The half leather edition, 2 vols., sent for \$3.00, prepaid. Address The Commoner, Lincoln, Neb.

## THE HEART OF THE TREES

What does he plant who plants a tree?  
He plants the friend of the sun and sky;  
He plants the flag of the breezes free;  
The shaft of beauty towering high;  
He plants a home to heaven ahigh  
For song and mother croon of bird  
In hushed and happy twilight heard—  
The treble of heaven's harmony—  
These things he plants who plants a tree.

What does he plant who plants a tree?  
He plants cool shade and tender rain  
And seed and bud of days to be,  
And years that flush and fade again;  
He plants the glory of the plain;  
He plants the forest's heritage;  
The harvest of a coming age;  
The joy that unborn eyes shall see—  
These things he plants who plants a tree.

What does he plant who plants a tree?  
He plants, in sap and leaf and wood,  
In love of home and loyalty  
And far-cast thought of civic good—  
His blessing on the neighborhood,  
Who in the hollow of his hand  
Holds all the growth of all our land—  
A nation's growth from sea to sea  
Stirs in his heart who plants a tree.  
—Henry Cuyler Bunner.