The Commoner.

Lobbyists Should be Registered and Known

"All law and government must be founded on the conditions of the governed, and no man either in this house 0 or in the other knows, or whoever has 0 sat in either knew, all of the conditions 0 0 of every business and every profession. No law can be as broad as the republic that does not take into consideration every citizen in the republic, and we must get much of that information from those who by experience in daily life understand best their own conditions."

Speech of Hon. William H. Murray of Oklahoma, in the house of representatives, June 10; 1913.—From the Congressional Record:

Mr. Murray of Oklahoma. Mr. Speaker, I ask unanimous consent to address the house for 10 minutes on the subject of lobbying.

The Speaker. The gentleman from Oklahoma asks unanimous consent to address the house for 10 minutes on the subject of lobbying. Is there objection? (After a pause.) The chair hears none.

Mr. Murray of Oklahoma. Mr. Speaker, I desire to send to the clerk's desk a resolution to be read as the basis of my remarks, and after the reading I shall place it in the box to be referred to the proper committee-the committee on rules.

The clerk read as follows:

A resolution to amend the house rules plac-

ing a "limit to lobbying."

Be it resolved, etc., That the rules of the house be amended so as to include the following provisions, which shall be known as-

"RULE XLII. "LIMIT TO LOBBYING

"Section 1. It is hereby declared to be against public policy and against the best interests of the people for any persons employed for a pecuniary consideration to act as legislative counsel or legislative agent for any person, corporation, or association to attempt personally and directly to influence any member of the house of representatives to vote for or against any measure pending therein, otherwise than by appearing before the regular committee thereof when in session or by newspaper publication or by public addresses or by written or printed statement, argument, or brief delivered to each member of the house: Provided, That before delivering such statement, argument, or briefs 25 copies shall first be deposited with the clerk of the house of representatives and be subject to inspection, together with a statement of the age, the name of the agent, attorney, or counsel, and his or her principal, the amount of salary, if any, paid for such service, and, so far as practicable, a statement of the subject matter of any bill, if pending, or any legislation sought to be enacted; and no officer, agent, appointee, or employee in the service of the house or of the government shall attempt to influence any member of the house to vote for or against any measure pending therein affecting the pecuniary interests of such person, excepting in the manner authorized herein in the case of legislative counsel and legislative agents.

"Section 2. No person shall be an officer of the house or continue in its employment who shall be an agent for the prosecution of any claim against the government or be interested in such claim otherwise than as an original claimant; and it shall be the duty of the committee on accounts to inquire into and report to the house of representatives any violation of

this section.

"Section 3. In case of violation of the provisions of sections 1 and 2 of this rule, the offender shall be deemed in contempt of the dignity of this house of representatives and finally excluded from the hall of the house of representatives and from all committee rooms, and his name be posted in writing on the excluded list at the main entrance to the hall of the house of representatives; and any member of this house thereafter willfully and knowingly communicating with such offender before final adjournment of this house shall likewise be deemed in contempt of the dignity of this house and subject to reprimand at the bar of the house in open session by the speaker."

Mr. Murray of Oklahoma. Mr. Speaker, we

have heard much of insidious and other lobbies until there is a likelihood of an improper method of dealing with this subject. The proposed rule which I have had read was the rule of the Oklahoma constitutional convention, over which I had the honor to preside, which convention is the pathfinder in progressive constitutional government. Nowhere, at no time, was that convention ever controlled or influenced by any dangerous lobby. There are those who would tell us that we should have a statute on this subject. Statutes, blind as they may be, might subject a citizen to a criminal prosecution that would be cruel, harsh, and unjust.

I concede that a right kind of a lobby is not only not wrong but extremely wholesome. No man who ever experienced the responsibility of legislation would deny that sometimes a lobby is absolutely necessary. I remember distinctly in that convention that we had every citizen represented except one. We had coal operators and the coal miners, the great oil operators, the laboring men, the merchant, the banker, the lawyer, the teacher, the minister of the gospel, the medical doctor, and every class of citizen except one-the dentist. The dentist did not maintain even a lobby, and when we came to write the schedule we absolutely put the dentists on one side of that state out of business, due to our ignorance of their needs. But for the fact that it was discovered before the final print, it would have been a hardship against that class of citizens.

I want to say to you now that all law and government must be founded on the conditions of the governed, and no man either in this house or in the other knows, or whoever has sat in either knew, all of the conditions of every business and every profession. No law can be as broad as the republic that does not take into consideration every citizen in the republic, and we must get much of that information from those who by experience in daily life understand

best their own conditions.

I remember again in the first legislature of our state, over which I presided as speaker, a bill had passed the senate by unanimous vote and was backed by a labor lobby before the senate. The labor lobbyist was a miner. The bill sought to govern labor interest on the railroad. It provided in two simple sections that every locomotive operated in that state should be equipped with an electric headlight of 1,500 candlepower, capable of producing a light 70 rods, without the aid of a reflector, followed with a criminal provision for its violation.

I could see the general purpose of the bill to be to prevent wrecks and protect human lives. but I did not think the labor leader who requested the passage of this law knew the specific wants of railroad men. I knew that I did not know. I did not believe the senate knew about it. I walked down to the switch yard one day and said to old Pat, "I want to read you a section of law." He said, "Begorra, who are you?" I said, "This is Speaker Murray, Pat." He said, "Allright." I read the first section, and old Pat began to pull his hair and he said, "If you pass that into law I will resign my job." I said, "What is the matter with it?" and he said "Everything." I said, "I conceive the object is to prevent wrecks and to save life and property." "Yes, that is true; but does it not say every locomotive?" I said, "Yes;" and he said, "Now suppose I am standing here in this switch, and some night a switch engine is here and one is down there, and they would proceed to meet me with these powerful lights, and I would not know whether it was on the track or not." I could see that, and I said, "What kind of an engine do you call this?" He replied a switch engine, and I asked, "Are there any other that ought not to be equipped with this light?" and he responded that a "dead" engine ought not to be equipped with it. I asked him what was a dead engine, and he said it was one going in for repairs. I then asked him if there were any other, and he said that there were, that engines operating wholly in the daylight ought not to be required to be equipped with this light. "Any other?" I asked him, and he said no. I went back to the office and dictated a proviso to the first section: "Provided, however, That switch engines, dead engines, and engines operated wholly in the daylight should not thus be required to be equipped," and I submitted that to the house. The proviso prevailed, and it was accepted by the senate.

I submit that to you, that but for the fact of that old Irishman lobbying unwillingly we would have done even the labor man an injustice; and so I say to you the man who undertakes to say that he knows all there is about life, which is the basis of legislation, is the biggest fool that ever attempted to rule a people or to legislate for them. (Applause.)

Old Solon, the world's greatest lawgiver, uttered the greatest truth of all times when, in reply to a question, "Have you given your people the best laws?" he said, "No; I have given them the best they are fitted to receive." Laws are for the period or the times, and laws must be made to meet the desires, the wishes, and the conditions of the people, even their sentiments, their heart throbs, and their social and sociological needs. When law or government is founded upon this principle it is wise, and without taking into account every citizen in the republic we will fall short of meeting that requirement.

Now, instead of a law, why a rule? Because the house can then enforce its rules without depending, as it would be obliged under a statute, upon jurors and courts. Again, it could determine the offense, whether it was aggravated or not, and yield where lenience is required and extend punishment where that is required. I say to you that no lobby, it makes no difference what the question may be, who comes in the open and discusses the proposition in the open is a danger. Some politicians were astonished at me in the first legislation of our state when I deliberately asked Mr. Winchell, of the Rock Island road, to come before the committee and tell the committee and the house what the railroad people wanted. I said that there was a community of interest between the railroad and the people if they would be fair with each other. And I said to Mr. Winchell, "We want to hear you. You can not buy us, and your representatives, when proposing to buy, will defeat your purpose. But if you will come and state in a reasonable way and by argument, and meet us face to face and on a fair, open plane, this legislature will give you what you are entitled to, and I will personally back whatever is right for your company. But, remember, you can not buy anything, and you must not try it." I hope to see the day come when railroad lobbyists or paid lobbyists of any kind will cease and that the great interests will come before the committees and before congress and in the open and to the public say, "We want this, and we will show you why it is right;" and whatever is right, whether it be demanded by a laboring man or by men of wealth, should be enacted into law.

The Speaker. The time of the gentleman

from Oklahoma has expired.

Mr. Murray of Oklahoma. Mr. Speaker, may I ask just two minutes longer?

The Speaker. The gentleman from Oklahoma asks unanimous consent to proceed for two minutes. Is there objection? (After a pause.) The chair hears none.

Mr. Murray of Oklahoma. Mr. Speaker, I would draw, under this resolution as a proposed amendment to the rules, a method whereby the lobbyist could be registered and known, and the members would know whom he represents, what he represents, what special legislation he is seeking to favor or defeat. There is no wrong in an open, fair, free discussion of any proposition anywhere. The insidious lobby is not the lobby that is trying to get what is their right in a fair, honest way, but is trying to do it in an improper way, or to get something he knows to be wrong,

I would welcome my constituents; and but a few days ago the farmers down on the big pasture, who had bought property from this government, felt that they had paid too much and that they were unable ever to pay for it: they came to us and we called our delegation together, listened to them patiently and in this we were doing our duty and they were better enabled to tell us their side than we could get it by any other means. So let us draw a distinction between an honest lobby and a dishonest lobby; a helpful lobby and a lobby that hinders and prevents. When we do that we can do it by a simple rule, as the Oklahoma constitutional convention did, the pathfinder, as I said in the beginning, of all progressive constitutional governments-it stood straight against all jests, gibes, all ridicule, all abuse, all vituperation and villainous slander of the corporate press, backed by a partisan judiciary in the very dawn of progressive government. When the road was hard to find and statesmen in other parts of the world were halting in doubt, groping in the dark in search of the road, Oklahoma pointed the way. (Applause.)