

and go home in the afternoon, It will be comparatively easy to corrupt them by preparations before hand, and almost impossible to detect it when it occurs. This is an important objection to the proposed change.

Another objection is the absolute impossibility of investigating a contested election, if committed to the whole people of a state. Suppose that a senator is elected by 1,000 or 100 majority in the state of New York with 800,000 votes, and there is reason to believe that very rich men or a rich corporation bought his election, it would be practically impossible to apply any remedy whatever. At present the senate goes no further than to see whether the lawful legislature, without corruption or intimidation chose a senator, and the difficulties in the way of making such an inquiry are sufficiently great. But compel the senate to go behind the returns in contested elections by popular vote and the task will be insuperable.

If senators are to be elected by direct vote of the people, it will create a natural and just demand for the election of president and vice-president by the people. This will inevitably lead to a demand for a federal election law. It will be unreasonable for the states to expect to continue to prescribe the qualifications of voters, enlarging the suffrage in one state and restricting it in another. Congress must then prescribe the qualifications for voters in the several states and enact a law providing for registering such voters, calling and holding the elections and certifying the results by national election officials in all the states of the union. The demand for such supreme and uniform Federal election laws will be just, and compliance with it will be inevitable. I am opposed to taking the first steps unless we are prepared to take all the steps.

It is asserted by some who advocate this amendment that its adoption is necessary to show that we trust the people. But it may be said that the framers of the constitution did not distrust the deliberate and persistent judgment of the people; they only dreaded the injurious effects of a sudden temper of the people, and thought that the constitution should contain safeguards which would give time for the sober second thought to operate. They provided, therefore, that the president and vice-president should be elected for four years by electoral colleges in the states, chosen as the legislatures might think best. In the process of time each state came to choose its electors by the people, but the constitution has not been changed, and, so far as the constitution is concerned, there need be no popular election for president; the legislators might choose the electors. Then, after providing for the electoral college, the framers of the constitution determined that senators should be elected for six years by the

legislatures, that the federal judges should be appointed by the president and senate, and hold their offices for life, and that only representatives in congress should be chosen by the people every two years. If it shows an undue distrust of the people to adhere to the method thus provided for electing senators, why should we not choose president, vice-president, judges and all federal officials by the people, and choose them all for two years only? I do not think it indicates that we distrust the people when we stand upon the constitution of the fathers, who wisely guarded against mutability in legislation and sudden changes in the government. I am unable to see how we are to begin to tear down these barriers and then stop. The system of electing judges by the people has been adopted in many states, yet the judges of the supreme court of the United States and all other federal judges are appointed and hold office for life. If an amendment were to be proposed for the election by the people of the federal judges, would it not be as good an argument to say to the opposer of such an amendment, "You distrust the people," as it is to say that it implies a distrust of the people to oppose the radical change which is now suggested in the proposition to elect United States senators by the people?

Senator Hoar has brought forward another and important objection to the proposed change. The constitution now provides for amendments to that instrument, such as two-thirds of the congress may propose, and three-fourths of the legislatures may adopt. Such amendments may be made without limit except in one particular. No state can by a constitutional amendment be deprived of its equal representation in the senate. Senator Hoar's point is that when the great states consented in the beginning to make this agreement, that the small states should have two senators equally with every large state, they made it in view of the requirement that the two senators from each small state should not be chosen by the people, but should be elected by the conservative method by the legislatures of those states. If the method of electing senators is changed to an election by popular vote, will not the great states agitate for a change which will destroy this equality of representation? Though technically the constitution cannot be changed in this respect, there would be great equity in the demand of the large states that they should have a representation based on their population. Will a state with a million of voters be willing to be kept on an equality with a state having but ten thousand? Say to the large states, says Senator Hoar, that they must change the method of electing senators prescribed by the constitution, and do you not leave open for them a door for saying that as this provision of the con-

stitution has been changed the obligation which was coupled with it as to equality of states is abrogated also? And if the senate is to become merely a second House of Representatives based on popular vote, must not the ratio of representation be based on the same fact? This is a strong objection to the innovation, and if the small states wish to preserve their equality of representation in the senate they must resist it.

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CONTEMPT. If a governor of a state should make appointments of doubtful constitutionality and afterwards become a member of the supreme court of that state and insist upon determining the constitutionality of those same appointments, would you or would you not have contempt for him? And if you did hold him in contempt ought he to jail you for an involuntary, fore-ordained and inexorable conclusion?

TARIFF TRUSTS. During the past year expressions of sincere opinion have frequently been uttered by prominent republicans, especially by leading republican newspapers, in favor of removing the protective tariff duties which foster "trusts." But, although these utterances have been cordially welcomed by the friends of good government, they have hitherto not been collected, and it is doubtful if anyone has realized how numerous they have been and how forcibly they have been presented. Accordingly, the first impression upon reading the collection of them which we present in another column, compiled by the New England Free Trade League, is surprise at finding how widespread are these opinions among the most intelligent organs of the republican party.

The list comprises only a part of what might be presented, but it represents all that is best among republicans in every section of the country. It includes, also, a few expressions from individual republicans and associations who have held that protection should be forfeited by monopoly. The encouraging thing in this is that it shows how the matter strikes honest and intelligent men of every shade of political opinion before partisanship is aroused by the bitterness of an election campaign. It shows, also, that congressmen who have the courage to carry out the promises made in the past by such leaders as Senator Sherman and to attack the extortion of trusts in the only practical way by removing the protection which fosters them, will find a support among the intelligent people of the country far beyond the limits of any political party.