senator and we must remember that a change from the present system would mean not necessarily a larger participation by individual voters in the choice of senators, but rather the substitution of the party convention for the legislature. This might result in the selection of a different class of men for senators, but whether this class would be superior to such as are now generally chosen is, at least, doubtful. The party convention, even under the most favorable conditions—i. e. when the result is doubtful and the parties evenly balanced—selects its candidates with reference, chiefly to their availability—the prospect of securing the support of this or that body of voters. Such a system when applied to senators would prevent the selection of an unpopular man, but it might not, any more than the present system, result in sending great statesmen to the senate. On the other hand, should the present m vement toward the direct primary result in the general adoption of that method, we might realize the popular election of senators and attain a system in which the will of the individual voter would be more effectual.

Arguments from the Standpoint of the Legislature.

A stronger argument for the change may be made, I think, from the standpoint of the legislature. It is conceded by most thoughtful observers, that the present system of choosing United States senators affects a legislature unfavorably in at least two particulars. (1) As to its personnel, and (2) as to its workings. The system interferes with securing the best material for legislators, because it imposes tests which have no relation to fitness for legislative duties. In a keen contest for the senatorship, candidates for the legislature are apt to be selected almost entirely with regard to their senatorial preferences, while their familiarity with the legislative needs of a state, and even with the mechanics of legislation, is too often lost sight of. This is the fault, not of the men, but of the system. Again, the present system tends to obliterate the distinction between state and national issues and requires the selection with reference to the latter of legislators who are to deal exclusively with the former, except so far as their choice of a senator may influence national affairs. A state legislature deals with subjects which are nearest to us—direct taxation, property rights, contracts, marriage and divorce and public education. But the criterion by which we are often called upon to choose men to legislate on these subjects is what they may think about the currency, the tariff or our foreign policy, none of which are within the scope of state legislation. This anomaly would not be entirely removed by relieving legislatures of the duty of selecting senators, but such a change would be a long step toward the separation of state from national affairs and the consideration of each group of questions on their own merits. The change would also remove one of the chief incentives for that acknowledged legislative evil, the gerrymander.

Prolonged Contests and Deadlocks.

But the most generally recognized evil of the present system is its interruption of ordinary legislative business. Instances appear to have multiplied in recent years where a long and bitter senatorial contest has frittered away a large part of a legislative session, or where, even after this result, the legislature has adjourned in a deadlock. Such object lessons more than any other cause probably have brought the subject of popular election into prominence.

Counter Arguments.

Among the arguments against the change is the claim that it would be a step toward destroying the equal representation of the states in the senate—that after popular election would come apportionment according to population as we have in the lower house. This was in brief the argument of Senator Hoar when the question was before the senate the other day.

Whatever the merits or demerits of the proposed change, it is not likely to come hastily or soon. The conservatism of our people is proverbial, and as the states now stand, at least thirty must concur in demanding, and thirty-four in ratifying, a constitutional amendment. But the country will be the gainer from the study and discussion which must follow.

Benefits of Discussion.

The United States senate now ranks as one of the great deliberative bodies of the world, after the supreme court and the presidency,—perhaps even before the latter,—it occupies the highest place among our institutions. Important as are its law-making functions, it is more than a legislative body. Under its treaty-making prerogative it may determine our foreign policy. By its own power to confirm appointments it may practically decide the success or failure of an administration. As a court of impeachment it may try a president. Truly we may say as did the ambassador of Pyrrhus to the Romans that the senate is an assembly of kings. Only we should see to it that our senators are not merely mining kings or kings of the caucus, but kings of statecraft.

The best traditions of American statesmanship belong to the senate. The work of Webster and Clay, of Benton and Seward, men who failed to reach the presidency, are part of the glory of the senate. Surely any discussion which maintains popular interest in this great body is to be welcomed. Any plan which promises to preserve its ideals, elevate its membership, make it more responsive to the needs of the Republic, more efficient in solving the great problems of the day, deserves the best thought of the college men and women of America.

ORDER OF HEARING ON ORIGINAL PROBATE OF WILL.

State of Nebraska, Otoe County, ss.

At a County Court, held at the County Court Room, in and for said County, Thursday February 27th A. D. 1902.

Present, William Hayward, County Judge.

In the matter of the estate of Donald Maccuaig deceased.

On reading and filing the petition of D. A. Maccuaig, praying that the instrument, filed on the 27th day of February 1902, and purporting to be the last Will and Testament of the said deceased, may be proved, approved, probated, allowed, and recorded as the last Will and Testament of the said Donald Maccuaig, deceased, and that the execution of said instrument may be committed and the administration of said estate may be granted to Elizabeth Maccuaig as executrix. Ordered, that March 27th A. D. 1902, at 2 o'clock p. m., is assigned for hearing said petition, when all persons interested in said matter may appear at a County Court to be held in and for said county, and show cause why the prayer of petitioner should not be granted; and that notice of the pendency of said petition and the hearing thereof, be given to all persons interested in said matter by publishing a copy of this order in The Conservative, a weekly newspaper printed in said county, for three successive weeks, prior to said day of hearing.

WM. Hayward County Judge.