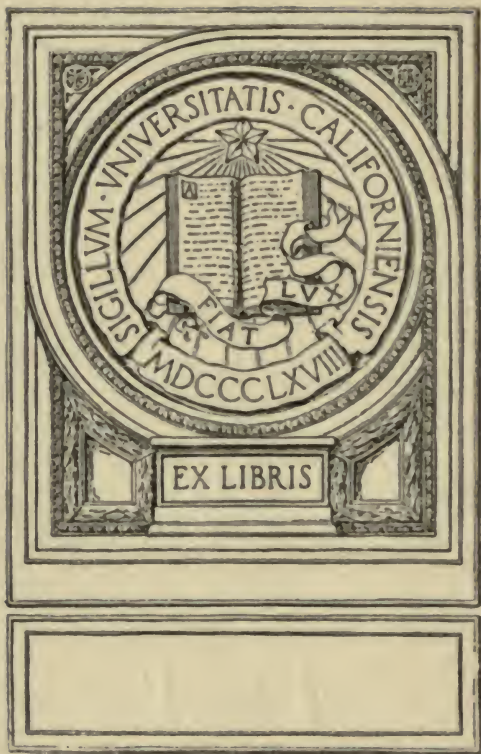


# The New Voter

Things He and She Ought to Know  
About Politics and Citizenship

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Charles Willis Thompson



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# The New Voter

Things He and She Ought to Know About  
Politics and Citizenship

By

Charles Willis Thompson



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## FOREWORD

PEOPLE who say they will have nothing to do with politics are mistaken. They might as well say they will have nothing to do with air. Politics may not be quite as necessary to their life as air is, but it is just as inescapable. Politics is the art of government, and government is all about us, like air. We may pass all our lives without noticing it; we do not notice air much; but we should promptly notice its absence if it were withdrawn, and we should note the withdrawal of government with something of the same discomfort. Russia, in these years of 1917 and 1918, has been expounding to us rather vividly the character of that discomfort.

No man can say, without talking nonsense, that he attends only to his business and lets politics alone. He could not attend to his business if politics let him alone. Russia is another proof of that. He may think that he comes into contact with government only when he buys a stamp at the Post Office or watches a customs inspector paw his luggage, but government touches him as the air does from the moment he steps on



the trolley car in the morning (it is government that safeguards the trolley car from holdups and the trolley company's capital from danger) until the moment when he lies down at night; it is government that makes it unnecessary for him to set the burglar alarm, or necessary, according to the character of the government.

The haughtiness that refuses to have anything to do with politics is that haughtiness which a man might display who should announce in the Pullman smoker that he had nothing to do with railroads. A man can't refuse to have anything to do with politics; but he can, by his attitude, help a good deal to make politics bad, and therefore to make government bad. The man—and the woman, for now she is charged with the same responsibility in many States, and will soon be charged with it everywhere—who won't register, won't vote, and won't take an interest in politics, is not keeping aloof from politics; he or she is only helping with might and main to make politics bad. He and she are turning it over, so far as they can, to those who would use it for evil purposes and those, even more dangerous, who would use it for stupid, ignorant, wrong-headed purposes.

This book is written for those who, being new to the ballot, wish to do their part to make politics

good instead of bad, but who find themselves puzzled at the outset by the unfamiliar face it wears. They want to go into politics (in the right sense of the phrase)—but they don't know how. The whole thing seems to be a mystery. This book aims to clear up the mystery in a practical way. It is not a handbook for voters, telling them where their assembly districts are and how to mark a ballot; this information, useful as it is, does not shed any light on what they will accomplish by marking it or what the marking is for. These pages aim to answer the simple and yet fundamental questions that arise the minute a new voter begins to ask himself what he can do with his vote.

The voter of twenty-one, the naturalized citizen, the woman voter, all alike are confronted by the same questions and puzzled by the same obstacles; and this book is addressed to them all. But the immediate occasion of its publication is the enfranchising of the women of New York, which has doubled the electorate of that State and without doubt will be followed by a similar doubling all over the Union, for the coming of New York into the woman suffrage ranks is obviously the beginning of the end. Since, therefore, the women of New York constitute a large class of those

new voters for whose needs it is intended, a considerable amount of space is given to political questions that arise in New York, and to the State laws of New York governing voting. The general principles, however, are, of course, the same all over the country; the chapter on Tammany, for instance, is no more local to New York than it is to Philadelphia.

C. W. T.

NEW YORK, Feb. 12, 1918.

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## **The New Voter**



# The New Voter

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## CHAPTER I

### A WOMAN'S SEARCH FOR ENLIGHTENMENT

Now that woman has the vote, how shall she go about using it?

When she tried to visualize herself using the vote, it dawned on her that she did not know how. She listened to lectures on her civic duties and civic opportunities, but they did not tell her the things she wanted to know. At first she was ashamed to ask her friends about them, because they seemed so elementary and small when she listened to the lectures. The lectures always presupposed more knowledge on her part than she had. But when, driven by desperation, she did begin to ask questions, she found to her relief and consternation that her friends did not know the answers either.

Then came a still more surprising discovery.



She was driven to ask the questions of the men she knew, and she found that many of them did not know either. Or if they did, they couldn't explain. She had supposed that a man who had been voting for twenty years or so must know all about it. But when she asked one of them how a constitutional amendment was adopted, he said "Congress passes it," and she knew that wasn't right. She asked another to tell her why it was that the President and Vice-President were elected by the same vote instead of separately, and all he could tell her was that it was "because they were both on the same ticket," which she felt did not explain anything. She asked him if it applied also to the Governor and Lieutenant-Governor, and when he said it did not, she asked: "But they are both on the same ticket, aren't they?" He looked a little foolish, and said vaguely: "Yes, but it's different with a State election."

"Why is it different with a State election?" she wanted to know.

And he explained to her that the nation and the State each had its own way of conducting elections. But she knew that before. He seemed perfectly able to explain the things she knew already.

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"You know about the Electoral College, don't you?" he asked, putting a wrong interpretation on her silence; and without waiting for an answer he told her some more things that she knew already. What was worse, every man of whom she asked that question seemed to think that to refer her to the Electoral College explained everything. But she did not see why the fact that the President and Vice-President were chosen by electors made it necessary for them both to be voted for as if they were only one. She did not pursue the subject that far, because she was afraid it was a foolish question, and it was not till later that she found out that it was a sensible one, and that in times past the electors had voted separately for President and Vice-President, just as the people now vote separately for Governor and Lieutenant-Governor. But that discovery was still in the future for her.

After a few experiences of this kind, voting seemed in one way a simpler thing than she had thought, and in another way much more difficult. If men could go on voting year after year without knowing any more than they did, it was simple enough. On the other hand, she was conscientious, being a woman, and she could not rest satisfied with that slipshod way of doing business. A man

seemed to go about voting very much in the same way he would probably go about cleaning the house, if he had that to do. She was determined to know something about it before she undertook the job. And the ignorance around her seemed so dense that it was not going to be easy.

"Whom do you vote for in a city election?" she asked a woman friend.

"For the Mayor, of course," was the answer, "and for other city officials."

"What city officials?" she persisted.

"I don't know," confessed her friend. "Judges and Aldermen, I guess."

But that was a woman. Men would know better. And yet when, the very next day, she asked a man how often an election for United States Senator was held, he could not tell her. Neither, to her surprise, could he tell her whether the Legislature remained in session all the year round or not. Another man told her it did not, but when she asked him how long it did remain in session he had to give it up. She asked him how many sessions Congress held, though she knew, because she wanted to see if he did. He did; he said two. Her opinion of this man mounted; he knew as much as she did, anyway. She tried him with another question, the answer to which

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she did not know, and she did it with the expectation that this bright man would be able to give her some real information.

"Are both the sessions of the same length?" That was the question.

He looked a little uncomfortable. "I think," he said slowly, "that they are. No, come to think of it, they are not. That is, I feel pretty sure they are not. And yet——"

"Why aren't they of the same length?" she asked.

He thought for some time, and was evidently just about to confess when a saving thought swam into his mind. "Why," he said confidently, "because when there is a great deal of business before Congress it takes longer to get it done than when there is not."

She left this man with real respect. Her opinion of man as a voter had been sinking, and he had gone far to restore it. And how disconcerting it was to find out the real reason, which she did accidentally the very next day. She went back to the man:

"It's because the law terminates one session of Congress on a certain day and doesn't terminate the other. The other can go on for a year if it wants to," she told him; not triumphantly or

derisively, but really thinking he must have known all along and merely forgot for the moment.

"Oh," he said. "I wonder why that is."

Then, aside from these matters of detail, there were fundamental things that troubled her. What troubled her about them was that they did not seem to be fundamental in the minds of other people, and it seemed absurd to regard as fundamental a thing which everybody else either took for granted or never thought about.

For instance, why was it that good men voted for bad candidates? The men she knew were all a pretty good lot, and yet, as they belonged to different parties, it was a certainty that some of them must be on the wrong side. Some of them must vote for bossism and machine rule and all that kind of thing.

Now this didn't seem fundamental at all, to other people. They were always ready with answers. One told her that it was because of the voter's "hide-bound partnership." Another said that we were slowly progressing beyond that conception of public duty, but that it was a matter of education and Rome was not built in a day. These answers not only seemed too vague, but they did not evince any conception of the thing that really puzzled her, the thing that was really

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fundamental. For, since she had been thinking of these things, she had begun to doubt that there was really a hard and fast line drawn between the Good Side and the Bad Side in politics, with all the Good Men on one side and all the Bad Men on the other. And if that was so, it was all very well to make up one's mind to vote for the right, but it was not going to be so easy to find out which was the right.

Another thing which seemed fundamental to her, and not to other people, was the question how it is that bad legislation is passed. From the lectures she had listened to it seemed to be the voter's duty to keep his eye constantly on the actions of his representatives in office, so that he could be down upon them like a pile-driver the moment he caught them legislating against the public interest. But why should they legislate against the public interest?

"Because they're bribed," said a friend summarily.

That seemed satisfactory and complete. She went on the assumption that it was the right answer, even though it had been given by a woman. But when, basing what she was saying on this rock, she began to ask questions about the way to get good legislation, in a conversation with

a man friend, he unsettled her by disputing her premises.

"They're not bribed," he said. "There have been very few legislative scandals in the last decade, and none at all in Congress. The average of honesty in public life is higher than ever before."

"Then why do they have to be watched for fear they'll pass bad legislation?" she asked, much perturbed to find one of her few rock-bottom facts taken away from her in this rough way.

"Well," he said, considering, "I suppose it's because they haven't got sense enough to know that it's bad."

"Then all we need is to elect smarter men?" she wanted to know.

He dodged. It occurred to her afterward that he dodged with the air of a man whose answers were being reduced to absurdity and who wanted to change the subject while there was yet time to save a remnant of his masculine superiority. But she hadn't meant to reduce his answers to absurdity. She had accepted them at their face value—at the moment. Later, when she thought them over, she did not. And yet she didn't believe any more that bad legislation was to be accounted for by bribery, either.

She did find a man who tried to reconcile the

existence of honest legislators with bad legislation by telling her that the "party lash" was wielded over such men. That brought her to another of those fundamentals which to other people were no fundamentals: unless the majority of men were bad, how could the party be bad; and if it wasn't bad, why did it wield the "party lash" to enact bad legislation?

And it brought her to another of those questions which were not fundamental, but of detail, and were just as puzzling. How was the "party lash" wielded? What did that figure of speech mean in plain terms of action?

"The bosses tell the man how he's got to vote, and if he doesn't vote that way they fire him," explained one man.

"Is that literally what they do?" she inquired doubtfully. "I should think that sort of talk would make most men mad."

"Well, I don't suppose they use just those words. They send for him——"

And he painted quite a lively picture with cardinal colors in it. She listened eagerly. This was real information at last. But when she aired her new-found knowledge to another man he scoffed.

"Who told you all that rot?" he demanded. "He must have got it from the movies. Do you



imagine that a man like, say, Senator Lodge, or Elihu Root, when he was in the Senate, ever went like an office boy to a boss's hotel apartment to take orders on how he was to vote on a matter before the Senate?"

This was shattering. Still, this man seemed to know something, and if her premises were being broken up her hopes were rising.

"Then how is the 'party lash' wielded, if not that way?" she inquired.

His interest in the conversation flagged. "Through the organization, I suppose," he answered, and moved on to another subject. It was highly unsatisfying. She thought he had known more than the other man. He did not. He knew that the other man was wrong, and so did she, now; but that did not help her, since he could not supply the deficiency.

In fact, a dreadful suspicion was taking shape in her mind. She battled with it for a while, and then let it form. When it was full grown she told one of her woman friends about it. The friend agreed with her that there might be something in it as an abstract principle, but it did not apply to her own friends, particularly to her husband. "Tom always knows what he's doing when he votes," finished the friend.

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Yet when she told her suspicion to Tom himself, he corroborated it entirely as to himself, while denying it as a principle. "So far as I'm concerned you're right," he said. "I don't take politics seriously between elections. I read the political news all the year round, just as I read about the war, but I don't commit one to memory any more than the other. I don't any more remember what the issues in the last State election were than I remember who commanded the expedition to Gallipoli. Along about the time the nominations are made I freshen up and begin to pay attention, and by the time the candidates are calling each other grafters and pro-Germans I'm all worked up about it. Even then, though, I don't get excited about any candidates except those at the head of the ticket, the Governorship or Mayoralty candidates, and when I get into the polling booth I'm confronted by a list of names nine-tenths of which I never heard of before. The day after my candidate has been defeated, as he always is, I'm convinced that the country has gone to the devil, and two weeks after election I lose all interest in politics as a study until next October."

His wife refused to believe it. His questioner did, however; for the suspicion that had formed

in her mind was just the thing he had described, and she had formed that suspicion about a large part of the male electorate. It included practically all of her own male friends. And she saw no reason why he should be an exception.

It was this last conversation which aroused her. It was then she determined that, however incorrigibly men might treat politics as if it were none of their business, she would treat it as being very decidedly her business. She would find out. How she was going to find out she did not yet know, but she knew that she would find out how to find out. The next day opportunity came her way. It came in an unexpected form, the rather bulky one of Tom.

"Anna, I've been thinking over what you said yesterday," he began, "and do you know, the things I said to you made me rather ashamed of myself. Or not that exactly, but they awakened my interest, which is a thing my own remarks don't often do. I began to think that I'd like to find out some of the things I don't know. In fact, I always did think so, but I've been too lazy to do it. But when I saw the way you were going about it, and the determination you showed in the face of all your discouragements, it sort of prodded me. That's it, it prodded me. I told

Jane so, and while she wouldn't believe that I wasn't holding back a large amount of knowledge that I pretended not to have, she thought it might be a good thing to increase my store. Seriously, I believe I know more about it than you do, but it's not much more; and all I do know has been forced on me by experience. For instance, I know how to vote, because I've always done it; but I haven't learned any more outside of that than was actually shoved down my throat. I'm willing to learn, now that you have got me interested. Suppose we hunt together, you and Jane and I?"

"Oh, Tom, that will be lovely!" she exclaimed. "But how shall we go about it? There's a lecture tonight at——"

"No lectures," he said. "I haven't got the patience. Besides, Anna, I don't want to know anything I could get out of a text-book on civil government. But you've heard me speak of my friend the Politician? Well, it so happens that he has a friend visiting with him, a Washington correspondent, whom I have met, and I had an idea we could invite them around to the house and lead the conversation around to these subjects. They are both always willing to talk about them; in fact, you can't shut them off; and perhaps——"

"Tom, you're a dear!" she cried. "And I'm invited?"

"Invited! Why the party's for you."

Now, when a plan of this kind is once born it grows. And before Tom could give the invitation two or three of her friends had been told about it and had expressed such a longing to be present that the informal party expanded overnight into a proposal for a dinner. The Politician and the Correspondent each expressed some modest doubt about being able to give the desired information, and with equal modesty nominated some one else. The Correspondent suggested an ex-Congressman of his acquaintance, and the Politician abdicated in favor of a lawyer who had had a good deal to do with politics and legislation. But Tom overrode their doubts.

"Bring 'em along," he said. "The more the merrier, and we'll need somebody to check you two up and guarantee your information."

And so the Question Dinner was arranged. It was a small party; besides Jane, Tom, and Anna, the seekers for information were only two, a college woman and a business woman, both of them as eager and interested as Anna herself.

## CHAPTER II

### THE TARIFF IN POLITICS

“WHAT is a Democrat? What is a Republican? What’s it all about?”

The dinner had reached the stage of questions, and some had already been asked, when Anna focussed her determination to begin at the beginning of things in this one. The other women laughed, and the Lawyer smiled, but the other men looked as if they thought it a sensible and important question, and the Washington Correspondent undertook the answer.

“There doesn’t seem to be much difference just now,” he said, “because the boundaries of the parties have got mixed. It’s like that stage direction in Hamlet: ‘Laertes wounds Hamlet; then, in scuffling they change rapiers, and Hamlet wounds Laertes.’ They have scuffled and changed rapiers pretty often in the last few years, till now you can hardly tell which is which. But there is a real difference, just the same.”

"I don't in the least understand what you are saying," interrupted Jane. "Don't be so figurative. What rapiers have they changed?"

"Well, the Republican rapier used to be a strong Federal Government, and the Democratic one used to be a comparatively weak Government at Washington with strong powers for the States. That used to be the difference between Democrats and Republicans, but now you find the Democrats putting through the strongest kind of legislation for increasing the Federal Government's powers, with the Republicans often opposing it."

"Still, you say that there is a difference," said Anna, putting her elbows on the table and her chin on her hands. "What is it?"

"The difference is something that they will always return to after whatever momentary issue that has obscured it has passed away. The Republicans stand for one kind of tariff and the Democrats for another."

"The Republicans are for a high tariff, and the Democrats for a low tariff," nodded Anna's friend the Business Woman. "I know that."

"Now, don't run away with that idea," said the Politician, hastily. "And yet nine men out of ten wouldn't know any better than to give the same answer. I suppose it's from some man that

you got that phrase. If that was really the difference, everybody would have to be a Democrat, for it would merely mean that the Republicans wanted to tax everybody heavily, and the Democrats wanted to tax them lightly. There is nothing in high taxation of itself that is attractive. Nobody wants to tax just for the sake of taxing.

“The difference is that the Republicans believe in using the tariff for the purpose of protecting American industries. That is, they think the main object of a tariff is not to raise money for the Government, but to keep our industries—which include the laborers as well as the capitalists—from having to compete with cheaper goods from abroad and the cheaper labor which makes those goods. So they refuse to regard the tariff as a tax at all. Wherever they see a capitalist building up an industry, and paying workingmen to do it for him, they propose to prevent any European capitalist, paying his workingmen lower wages, from selling that kind of goods in America at a lower rate than the American can sell it. That’s what a tariff is for, they hold.

“The Democrats hold that the only legitimate purpose of a tariff is to raise money for the Government. If, in doing that, it happens to protect some home industry, so much the better, but



that's not the purpose of it, in their minds. So, when they get in power, they always undertake to make what they call 'a tariff for revenue only, with incidental protection.' They hold that the result of the Republican policy is to make the consumer pay more for what he gets than it is worth, and that, as the very capitalist and laborer that the Republicans are trying to protect are themselves consumers, it will be better for them not to be protected so much and to pay for a thing no more than they could get for it if there were no protection."

"And you call that the fundamental difference between the parties?" broke in the Correspondent, derisively. "It may have been once, but it's not now. You go down to Washington when a tariff is being framed and watch your Democratic Congressmen trying, each one of them, to grab a slice of protection for the industries in his district. He is for 'a tariff for revenue only,' so long as it applies to industries in some other district; but whatever is made or grown in his own district is somehow an exception, and has got to be protected for special reasons, or he'll know the reason why. As for the Republicans, they are perfectly willing to compromise on laying a revenue tariff on things that are made or grown in Democratic districts,

provided they get a stiff protective rate on Republican products. That's about as poor a specimen of a fundamental difference as ever I saw.

"When the Payne-Aldrich tariff was being framed, one of the principal leaders on the Democratic side in the House was Oscar Underwood of Alabama, who is now a Senator. He represented a great manufacturing district, that of Birmingham. He was a Democrat, a Democratic leader, and it ought to have gone without saying that he was for a tariff for revenue only. But his people at home assumed as a matter of course that when it came to Birmingham's industries he would be for protection. Quite as a matter of course the Birmingham Commercial Club notified him that Birmingham did not want the duty on pig iron reduced below \$4 a ton.

"Just stop a moment there to consider the view that the Birmingham people must have taken not only of Democratic sincerity on the tariff question, but of Republican sincerity as well. The tariff that was being framed was being framed under Republican auspices. The Republicans, in theory, favor protection for everything that doesn't want to come in competition with foreign products. So it ought to have gone without saying that the Republicans would protect Birmingham's steel

and iron; the mere fact that Birmingham needed it should have been enough. But Birmingham assumed, and assumed quite rightly, that the Republicans would not give them any protection; that, in their case, the Republicans would be governed by the Democratic principle of a tariff for revenue only.

“And they also assumed, but in this case wrongly, that Underwood, a Democrat, would fight in this case for the Republican principle of protection, while the Republicans did what they could to enforce—in this case—the Democratic principle of a tariff for revenue only. And the Birmingham Commercial Club notified Underwood as the representative of Birmingham in Congress, that Birmingham did not want the duty on pig iron reduced below \$4 a ton.

“Underwood was a Democrat who took the party's principles seriously. He wired back:

“‘I have never been in favor of a protective tariff for protection's sake. I have always believed in a tariff for revenue only. I think \$4 a ton on pig iron is prohibitive and that it ought to be reduced.’

“He was denounced as a traitor to his district, but he stood pat and voted for a duty of \$2.50 a ton. A fight was made to defeat him for re-elec-

tion, but it failed. Later, when the Democrats came into power, he was the principal draftsman, so far as the House was concerned, of the Underwood-Simmons tariff, the one now in force, and that is one reason why this tariff much more nearly approximates the old Democratic ideal than any other tariff measure they have framed in sixty years.

“Bryan charged him with having tried to block the lowering of the steel and iron duties, and Underwood, in his reply, proved beyond a doubt that it was principally to him that the lowering of those duties was due. And this in spite of the fact that, according to the protection theory, he was giving a black eye to the industries on which his own district lived.

“Now, the whole point of this long story is the simple fact that Underwood’s act in standing out for the principle of a tariff for revenue only created a sensation. It went all over the country, and was commented on admiringly as an example of a man standing by his principles in the face of threatened political ruin. My point is that Underwood was an exception, such an exception that he became, for the time, a curiosity—like a sabre-toothed tiger. What was there extraordinary in a Democrat standing out for a tariff for

revenue only? Isn't it the principle of his party—the fundamental principle, according to you?

“The truth is that it is not fundamental at all, any more than the protection theory is fundamental with the Republican Party. The belief that it is is due to the fact that for a good many years, when there was nothing else to fight about, Republicans and Democrats used to rage over the tariff in an unbelievable manner. Men seriously believed that the country would go to ruin if the Mills bill, a Democratic measure, should pass; they actually thought that foreign nations were palpitating with anxiety over it, and thousands of otherwise sane citizens believed as an article of faith that the Cobden Club of England was deluging this country with a vast corruption fund of ‘British gold’ to get the bill enacted. ‘British gold’ was a frightful hobgoblin in those days; the fact being that the Cobden Club was a somewhat sleepy, old-gentlemanly sort of institution that no more thought of debauching the American electorate over a Democratic Tariff bill than of sending an army to invade Belgium.

“Peaceful citizens fought each other with their fists on the public streets over the question whether the Mills bill increased the tariff on certain articles over the rate levied by the tariff of 1883, and

whether, if so, the increase was *ad valorem* or specific. Looking back on it now, it reminds one of the grammarian's curse quoted by Carlyle: 'May God confound you for your theory of irregular verbs!'

"Men who grew up in that time got the idea that the parties were eternally divided into implacable hostility over the earth-rocking principle involved in the words '*ad valorem*' and '*specific*.' You're one of them. You can't get over it yet. You still think men are doomed to hate each other for all time over the tariff because they did so in 1888. But I tell you, the solemn truth is that the only reason they entertained that delusion was that there was nothing else to quarrel over. The issues growing out of the great War of Secession had been gradually settled, and no new issue had arisen. It was a sort of political vacuum. So, out of perfectly legitimate differences on the tariff, men erected a bogie of fundamental and irreconcilable antipathy.

"They don't fight over the tariff now as they did then, though they still fight over it. Larger matters are coming to engross them, things that really are fundamental. Ladies, don't let anybody tell you that in order to be a Republican or a Democrat nothing is necessary except that you

plunge head first into a lifelong study of tariffs. No such curse awaits you, whatever the Politician may say."

"You've taken a lot of words to say so," said the Politician, lethargically.

"It was worth while to take them," answered the Correspondent, "because most men to whom these ladies go for information will answer them just as you did, and I want to save them from a wrong steer. Since hardly anybody can tell you the difference between a Republican and a Democrat, and since everybody is assuring the woman voter that she must be one or the other, the lazy man's answer to her questions about the difference is sure to be, 'Oh, the tariff.' And, just because she takes her new duties seriously, she will feel that she has got to go into a dry-as-dust study of the tariff, which, as a matter of fact, is not at all necessary."

"Why do you call it a wrong steer?" demanded the Politician.

"Because it is. The tariff is becoming more and more a matter of business instead of party politics, and the party lines are getting more and more obliterated over it. Six years ago, when the Republican Party had been in power for fourteen years and thought it was in power forever,

there arose a great revolt in the West that swept it out of office through Republican votes. The Republican West rose against its own party. And on what issue? That of the tariff. That is to say, the Western Republicans wanted the tariff lowered instead of being raised. Mind you, it was Republicans, not Democrats, who wanted that; and they overthrew their own party for being too Republican and not Democratic enough.

“I tell you that on the tariff, no less than on other things, the old party lines are getting all mixed up. I have already told you that even in the old days they were always mixed up when it came to a matter of a man’s own interests, or a district’s own interests. No district, and no man, except in the case of an incorrigibly rigid man like Underwood, was for either protection or a ‘tariff for revenue only’ where it hit near home.

“Therefore I beseech you, ladies, not to heed the man who tells you that the tariff deeply divides the people of this country, or that it behooves you to make your choice of evils and pin a party badge on yourselves accordingly for all time. Make your choice, but don’t imagine for a moment that it determines whether you are to be a Republican or a Democrat. Some of the greatest Democratic leaders, like Samuel J. Randall, were Protectionists,



and forty years ago the Free Trade Club was largely made up of Republicans.

"I think Theodore Roosevelt belonged to it for one, and that Garfield was pretty close to a Free Trader in principle."

"Well, that makes one thing clear," said Anna. "But you haven't answered my question. What is a Democrat and what is a Republican? What's it all about? All you've told me is what it's not about."

## CHAPTER III

### THE DIFFERENCE BETWEEN THE PARTIES

"THERE isn't any difference between a Republican and a Democrat," said Tom. He had been listening with a somewhat cynical smile to the Correspondent's long demonstration that, whatever the fundamental difference, it wasn't the tariff.

"Hush, Tom," said Jane. "That cynicism of yours did us a service in bringing this dinner about, but it isn't any use now. And I want to know. I don't care a button about the theoretical difference between the parties, but I do want to know why I should join one and not the other."

"There isn't any reason," said her husband, undisturbed. "One's just like the other."

"Is it?" asked Jane, appealing to the ex-Congressman.

"Not exactly," he said slowly. "The trouble is that the difference is so hard to define—unless you take the easy way of saying that your party

stands for the common people and the other party doesn't. And yet you have got to see and feel the difference, if you are to make your work in politics in any way effective, even if you stand outside both of them and vote independently. .

"Tom says there is no difference. I have no patience with that kind of talk, which is cheap and common among men. Just think how incredible it is. To believe it requires you to believe that the men of this nation, out of mere love for disagreement, split themselves into two opposing camps and started an enormous fight over nothing, which has been going on to this day. Now, if any man really believes that, he believes that men are not fit to vote at all; for such a course would not be that even of ignorant or foolish men, it would be that of children. It is precisely in that way that children line themselves up in opposing parties for a game. The only grown men who really do it are professional ball players. It was not on such babyish principles that Hamilton and Jefferson divided, or, for that matter, that Wilson and Roosevelt, for instance, divide today.

"Originally the difference was much sharper than it is now, and easier to distinguish. When the republic was formed monarchy was the form of Government nearly everywhere else; not mon-

archy as we know it, but the real rule of a King, in which the people had no share. England was the only exception in that respect, and England was not the democracy under monarchical forms that it is today.

“The men who founded our nation were in a state of mind which we can hardly imagine now. The great menace which they foresaw was not corporation power, or labor tyranny, or capitalism, or mobocracy, or anything with which we are concerned. The great peril, in their eyes, was monarchy, the danger that the United States would give up its experiment and go back to the system which then prevailed everywhere else.

“How were they to avoid this? One party wanted to avoid it by going as far as possible to the opposite extreme from monarchy. The danger was so acute in their eyes that they felt that they must be constantly on the alert to stop the first insidious move toward it. Therefore they wished to have as weak a Government as possible, one that should be as near as possible to no Government at all. These were the men who afterward came to be known as Democrats.

“The other party had more confidence in the stability of the republic, and wished to have a strong Government, believing that the stronger

it was the more the nation would prosper. As for the danger of monarchy, they would take their chance of that. These are the men who, after taking many names, finally settled down to that of Republicans.

“The Democrats have always claimed that they were the party that believed in the people. As a slur on the Republicans that claim is open to question. It might very well be argued that the ancestors of the Republicans—Federalists they were called then—had so much confidence in the people that they were willing to trust the people with every temptation to monarchy, believing that their good sense would keep them from it; and that the Democratic confidence in the people must have been small when they were afraid even to give the Government power to build a highway for fear monarchy would result.

“However that may be, there never was any tendency to monarchy, and we can see now that the fears of our fathers were all false. The development of the nation was in an entirely different direction, one that they did not foresee. It tended to place power in the hands, not of Kings, but of economic factors; and all our recent struggles in politics have been over the question

of controlling or regulating these so that they should not have more power than they are economically entitled to. That is the history of all the political battles of this century, and it is the history of the trust legislation and the labor legislation that has been pouring out of Congress and the Legislatures in a constantly swelling stream since 1890.

“No man and no party would be foolish enough to favor either a strong Government or a weak one merely because it was strong or weak. The Democrats favored a weak one because they feared that a strong one would imperil political liberty, as strong ones in Europe always had done. The Federalists, afterward followed by the Whigs and finally by the Republicans, had no such fear, and they did believe that a weak Government would hinder the nation in its progress.

“All the political disputes, whatever they were nominally about, were really over this deep, fundamental difference in men’s minds. You,” he nodded to the Politician, “thought the difference between the parties was over the tariff, but the Correspondent was right when he told you that that difference was not fundamental. The fundamental difference was that difference in men’s minds.”

"What had the tariff to do with that?" retorted the Politician.

"The Democrats," answered the ex-Congressman, "naturally opposed the principle of protection, because it involved that very idea of a strong Government; a strong, paternal Government, watching over the industries of the country and using its powerful arm to foster them, even to the extent of taking money out of the pockets of incoming travelers for that purpose. You see, the Democratic idea from the first was that of the People, the Republican idea that of the Nation."

"And now," said Tom, skeptically, "the Democrats are outdoing all that the Republicans ever did in the way of giving power to the Government."

"Well, why? For the same reason that originally they favored a weak Government; because, as I just said, they are preoccupied with the People, as the Republicans are with the Nation. Mind, I don't say that to the discredit of the Republicans; they believe that in thinking of the Nation they are looking out in the best way for the interests of the People. It's only a question of method.

"You see, the War of Secession ended all real debate on that question of strong or weak Government. Up to that time the Democrats, favoring

a weak Government, had believed that they could best insure it by keeping the States powerful and independent, so that was their policy, and it was what the political battles of that time were fought over. But after the war it was certain that the National Government would increase in strength and that States' rights, as a principle, was doomed.

“Besides, it was evident that most of the fears about Federalism were chimerical. There wasn't going to be any monarchy. People kept on talking about the danger of imperialism, and the coming of Cæsar, and the Man on Horseback, but they kept it up just from force of habit. It was no longer a creed, but only a charm, an incantation; and you can't support the life of a great party on that.

“However, there were other perils. The great industrial growth, especially after the war, showed where they were. The great trusts that sprang up were at first entirely unregulated, and it soon became evident that without regulation they would concentrate in their hands much of that power which our fathers had vainly foreseen in the hands of Kings.

“Now how would you expect the parties to divide on such a question as that, suddenly com-



ing up as it did in the generation that followed the war? The old bugaboos were gone, the old ghosts were laid; nobody was afraid of monarchy, nobody was really in favor of the old States' rights doctrine for which at one time men were ready to die, and did die. But the old deep gulf between the parties still existed. As I told you, it was not a difference in temporary and evanescent issues, it was a difference in men's minds.

"Here, on the one side, was the party which was preoccupied with the People, which had been preoccupied so greatly that it was willing to see the Nation in danger sooner than the People, which had, in fact, lent itself to an assault on the Nation's life for the sake of its States' rights belief. On the other hand, there was the party which had been principally preoccupied with the Nation, believing that strength there was the best guaranty of happiness and prosperity with the People.

"Well, at first the natural Democratic impulse was to sweep away the trusts altogether, and the natural Republican impulse was to fight against any interference with them whatever. The trusts were not the Nation, but they embodied most of the material prosperity of the Nation, and the old Republican belief was that if you look out for the

Nation, you are thereby serving the true interests of the People best. Just as I told you, the fundamental difference is a difference in men's minds, in the way they look at things. By this test every question that had come up for a hundred years had divided men, and now the trust question was to divide them.

“Nevertheless it was the Republicans who first acted to control and regulate the trusts. They did it in an inexperienced and awkward way, the question being new, and there being no answer to it in the writings of Hamilton, Webster, and Lincoln. Statute followed statute, until the thing became somewhat more scientific. But throughout the fight you could see the parties lining up in just the same way they had lined up under Jefferson and Hamilton, under Calhoun and Webster, under Davis and Lincoln.

“There had to be regulation, that was a certainty. The question was how the regulating should be done. The Democrats, possessed principally with the idea of the People, to whom everything else is second, went from campaign to campaign proposing a wholesale slaughter of the big corporations. The Republicans wanted to do as little regulating as possible at first, and when they did any, their main object was not to destroy but

to conserve. That's why we call the Republicans the conservative party——”

“Conservative!” broke in the Lawyer. “Do you call the Republican Party conservative when the whole western section of it, which has got it by the throat, is as radical as the Democratic Party?”

“I admitted when I began,” replied the ex-Congressman, “that the difference between the parties is hard to define. But you can't define it at all if you take as your guide some specific piece of legislation, or party platform, or the tendency of a faction in the party, as you are doing, and as most people do. You can only define it if you keep clearly in mind the fundamental difference in men's minds that caused the original division and keeps it up today. There never has been a time when the party lines didn't meet and cross each other at some places, and just now they do it more than ever before.

“But the fundamental difference remains. In every question that comes up the Republican frame of mind calls for a decision with regard chiefly to the Nation, the Democratic with regard to the People. And remember always that back of that lies the Republican belief that the interests of the Nation must be protected for the sake of

the true interests of the People. When anybody tells you that the Republican Party is a rich man's party, or that it is against the People, all you have to do to prove it foolish is to remember that most of the time since the last war it has had a majority of the People in its ranks. And the majority of the people are not rich, neither are they against the People. Both parties aim at the same result, the interests of the People; the difference is a deep, sharp one of method.

“It is true that the Democrats, just now, are strengthening the power of the Government, but they are doing it for the same reason that Jefferson, their founder, proposed to weaken it—the interests of the People. It is not primarily because of an interest in the Nation. It is to protect the People from the power of wealth. For twenty years their idea of the right way to do it was to smash the corporations. If they had succeeded they would have brought more misery on the People than they tried to remove. In the Wilson Administration they borrowed a little from the Republican theory and tried to protect the People and at the same time pay some heed to the welfare of the corporations, at least to the extent of not crushing them.

“Their conspicuous failure in this respect was

in regard to the railroads, which they came pretty near crushing. One of the things the war has done has been to bring about a better feeling about these things, a little more anxiety on the part of each party to get the other's point of view; and as one result we have seen, in the last few months, that amazing spectacle of a Democratic Administration taking over the railroads not in a spirit of hatred, but in a friendly one. In the days when the Democratic Party, under Mr. Bryan's lead, was raging against the railroads one could never have dreamed of such an outcome."

"Then the difference between the Republicans and the Democrats is a state of mind?" asked Anna.

"Exactly," said the ex-Congressman; "and don't flatter yourself that you can avoid being one or the other, as long as you've got a mind at all. You may not join either party, but you'll have to belong to one in spirit, even if unconsciously. For human minds are made so that they must divide on the question of whether to legislate primarily for the People or primarily for the Nation as the People's instrument, and if you think at all, you can't help thinking on one side of the line or the other. In other words,

you can't help thinking as a Democrat or a Republican."

"Well," said Jane, "if I've got to think as one, I might as well join the party I'm thinking with. How do you join a party?"

## CHAPTER IV

### JOINING A PARTY

"How do you join a party?" repeated the Lawyer. "By enrolling to vote in the primaries."

"That's like defining a snark by telling you that it's a boojum," said the College Woman. "What is a boojum? I mean, how do you enroll to vote in the primaries?"

"And what is a primary?" added Jane.

"A primary," replied the Lawyer, looking somewhat abashed, "is the same thing as an election, except that it is held for the purpose of nominating candidates for office instead of electing them. When it gets near the time to hold a State election, for instance, the polls are opened all over the State on specified days. Then the voters go to the polls and vote for the candidates they want nominated by their respective parties."

"By their respective parties?" asked Anna. "You mean that if I'm a Democrat I can vote only for Democratic candidates?"

“Exactly,” nodded the Lawyer. “You can vote for whoever you think should be the Democratic candidate, for instance, but you can’t vote for a Republican. You get a Democratic ballot and you pick out your candidate on it. The persons from whom you are to make your choice have had their names put on the ballot by petition. If you don’t like any of them you can write in a name. If you are a Republican, you get a Republican ballot and do the same. Then the man who gets the largest number of votes in the primary becomes the candidate of that party, and is voted for by its members at the ensuing election.”

“But how do they know I’m a Democrat?” persisted Anna. “What’s to prevent me from voting in a Republican primary?”

“That very thing happens in some States,” he replied. “It’s the cause of a great deal of confusion and even of wrongdoing wherever it happens, and sometimes defeats the people’s will. For instance, suppose there is no contest over the Democratic candidate, suppose there is some man on whom the whole party is agreed, so that his nomination at the primaries is a foregone conclusion, and at the same time there is a hard fight over the Republican nomination. In such a case a



Democrat would be tempted to vote for that Republican whom he would prefer to see at the head of the Republican ticket, perhaps because that man would be easy to defeat at the election, and certainly without feeling bound to vote for him then. In Wisconsin, Senator La Follette was often helped out of a tight place by Democratic and even Socialist votes in Republican primaries, though it is a serious offense in the Socialist Party for a man to vote any other than a Socialist ticket.

"But in this State there is no such possibility. We have a law which guards against such things. How do they know you're a Democrat? you ask. Because you are enrolled in the Democratic Party. Nobody can vote for a Democratic candidate in the primary who did not enroll as a Democrat at the election of the year before. Every year, when you go to the polls to vote in an election, they ask you whether you wish to enroll as a member of any party. If you say yes, you are enrolled as a member of that party. You don't have to say yes, but if you don't you can't vote in the primary next year, though you can at the election.

"And that answers the question how one joins a party. He joins it, as I said, by enrolling to vote in the primaries."

"And then you've got to vote at the election for

the candidates of your party?" said Anna. "Is that why you enroll?"

"Not at all. Enrolling doesn't bind you to anything. All it does is to prevent you from voting next year in the primary of any party except the one that you have enrolled in. And if you don't enroll you can't vote in next year's primary at all. You are regarded as a member of the party you have enrolled with, but that doesn't make it necessary for you to vote for its candidates, or even impose a moral obligation on you to do it. You merely assert that you intend in general to vote for the candidates of your party and to support its principles, and your good faith is assumed; but if the party nominates candidates whom you regard as unfit, or deviates in your opinion from right principles, there is no earthly obligation on you to support it.

"I ought to tell you that there is one exception to this. It is the Socialist Party. You have got to vote for the candidates nominated in the primary if you are a Socialist, and if you don't you can be punished by expulsion. Even if the party should make no nomination in some district and one of the other party candidates should be especially fit and the other especially unfit, you could not vote for either; you couldn't vote

for anybody but a regularly nominated Socialist. However, the Socialist Party is an exception in many ways, for it is really tightly bound by its organization, its machine; whereas in other parties the machine is a pretty flexible thing, in spite of assumptions to the contrary."

"I don't think I'd like to join any party," remarked the Business Woman. "It seems to me that I'd be giving up some of my independence, even though you say I wouldn't be bound to support the candidates. It seems to me better to stay outside the parties and vote for the best candidates on either ticket. That will keep them on their mettle and make them put up the best man!" She looked rather challengingly at the Politician.

"Very fine," he answered drily, "but if you take that lofty attitude you deprive yourself of most of your real power as a voter, and you deprive yourself of all power to force the nomination of those whom you call 'the best men.' If you refuse to take any part in the nominations, if you insist on staying loftily at home and letting other men and women do that part of the work, what right have you got to complain of the kind of candidates they have nominated? What right have you got to come in at the eleventh hour and decide majestically between the respective merits of two pretty

poor candidates when you have refused to take any part in the nomination of a good one?"

"But I would vote in the primaries," she protested; "I would take part in the nomination."

"Hasn't the Lawyer just told you," said the Politician summarily, "that if you don't join a party you can't vote in the primaries?"

"He said I couldn't if I didn't enroll," she murmured doubtfully.

"Enrolling and joining a party are the same thing," said the Politician. "They are only different words. All that either of them means is that when you enroll, or join a party, you signify your intention of voting in the primaries and helping to nominate candidates for office, and that the enrollment gives you the right to do it."

The Business Woman looked a little dazed. "You're upsetting my ideas," she complained. "I've always supposed the independent voter was the salt of the earth; that he kept politics healthy and all that sort of thing, by his stern watchfulness, don't you know?"

"Well, he can be sternly watchful and still enroll as a voter in the primaries," said the Politician a little crossly. "And he can't be sternly watchful at the primaries if he doesn't vote in them, can he? Besides, he can be just as indepen-

dent as he likes after the nominations are made. He doesn't have to vote for the candidates just because he participated in the primaries. The truth is that in seven cases out of ten, when you hear a man boasting that he is too independent to enroll as a party man, he means that he is too lazy to go to the primaries."

"But suppose," said Anna earnestly, "that you don't honestly feel that you can be either a Democrat or a Republican, or anything else, how can you enroll and say that you are one?"

"The enrollment only calls on you to say that in general you purpose to act with that party," answered the Politician

"And as for not feeling that you can honestly belong to any party," added the ex-Congressman, "you can't help belonging to one in spirit. Because, as I said a little while ago, the parties correspond roughly to the actual divisions in people's minds, their different ways of approaching a subject."

"But you may have a Republican sort of mind and yet you may not like the men who are running the Republican Party," she cried. "How can you honestly join it, then? Does the fact that you have a Democratic way of thinking make it necessary to join Tammany Hall?"

“Joining the Democratic Party isn’t joining Tammany Hall,” said the Politician. “And if you don’t like the men who are running the party you prefer, you must join it so as to drive them out of power and put other men in. What’s more, you can’t drive them out unless you do join the party, because you can’t vote to overthrow them. You can stand on the outside and throw stones at them, but that won’t hurt them, and they will keep on running the party till the end of time for all you are doing to stop it.”

“But I don’t understand,” said the College Woman. “How can you vote to put out the men who are running the party? When you vote, you don’t vote for anybody but candidates for office, do you? You don’t vote to decide who shall run the party machine, do you?”

“You certainly do,” said the Politician. “The men who run the party are elected for that purpose at the primaries every year. When you vote at the primaries for the man whom you want nominated for Governor or Mayor, you also have an opportunity to vote for the State and County Committees that run the party. If you don’t like the way they run it, it’s up to you.”

“Do you mean that the enrolled voters have it

in their power to change the party management at any time?" cried the College Woman.

"They have it in their power," replied the Politician. "But I'll save you the trouble of asking the next question. You're going to ask me why they don't change it, and you mean to ask me that in a way showing that you don't believe me."

"Oh, I believe you," she said, in a tone that did not carry much conviction, "only I can't understand why, if that's the case, the same old bosses rule all the time. Because, according to what you tell me, anybody can vote in the primaries who takes the trouble to enroll; and surely most people must want the party to be run by the best men."

"I said they had it in their power," said the Politician. "But as a matter of fact most voters will not go to the primaries. No, I'm not exaggerating; when I say 'most,' I mean 'most.' I don't mean a large number, or a great many, or a whole lot; I mean most of them."

"Isn't that scandalous?" cried Jane warmly. "But now that the women have got the vote, that will all be changed. We'll all go to the primaries."

"If you do, New York will be the only State in which you have done so," said the Politician, smiling. "The truth is that women have not a bit

better record than men in that respect: and that suggests the reason for it. It isn't either a masculine or a feminine failing; it's old human nature and nothing else, and nothing will ever cure it. There's no use storming at it and holding the lazy up to scorn for their delinquencies; it will go on to the end of time. No, I won't say there is no use in it, for every time you do it you stir the conscience of some lazy man or woman, and he or she takes the trouble to go to the primaries for once. But you never touch the majority."

"But they go to the polls on Election Day," objected the College Woman. "Does old human nature, as you call it, take a day off on Election Day?"

"No, it works both on primary day and on Election Day," he responded. "What old human nature does is to get interested in interesting things, and not to get interested in uninteresting things. You may say that a primary ought to be just as interesting as an election. So it ought to be, but it generally isn't, and there is no prospect that that state of affairs will ever change.

"Election Day comes at the end of a hot campaign, when everybody has been thinking and talking politics for at least a month. Primary day comes at the beginning of it, when nobody



has been paying much attention. Of course, there are sometimes hot fights for the nomination, which get a lot of people interested, and then you see a large vote at the primaries; but even then it is never anywhere near the size of the vote cast on Election Day.

"Now, you must remember that it is at the primaries, not at the election, that the voter elects members of the State and County Committees, the men who run the party. The politicians will always take the trouble to go to the primaries. The man or woman who doesn't approve their management is pretty likely to be interested in some other topic and forget all about the primaries. That's why the same men run the parties, year in and year out. I don't blame the voter for staying away from the primaries, because it would be no use to blame him; but I must say I despise him when he bleats about the corrupt gang that's running his party, and which he won't take the trouble to put out."

"But you don't elect the Boss at the primaries, do you?" asked Anna. "And doesn't he run everything? How does he get his power? Where does the Boss come from, anyway?"

## CHAPTER V

### THE BOSS

"A boss," said the Politician, "is a leader."

"And something besides," added the Correspondent, cynically.

"Well, that depends on the leader," answered the Politician, "and on the folks he leads. What you mean is that he is a factor in political corruption and bad government. In some places he is and in some he isn't. If the general tendency of the particular crowd that he leads is corrupt and bad, he will be corrupt and bad, because he couldn't have become its leader at all, unless he embodied their desires."

"Can there be such a thing as a good Boss?" asked the College Woman.

"No Boss is an anti-machine man, that's sure," replied the Politician. "He can't be, because the object of anti-machine men is to change the organization, and he is the head of the organization. The word machine is merely an opprobrious nick-

name for the organization. Any kind of organization is a machine, whether it's the organization of a church society or a debating club. That's all the word means. Some party machines are good and some are bad; but good or bad, they have to have leaders, and the word Boss is impartially applied to all leaders by those who don't like the way they lead."

"I saw a Boss in the movies the other day," said Jane. "He was a horrid thing, fat, with a loud suit of clothes and a cruel mouth and a cigar butt always stuck in the corner of it; and he spent all his time in saloons ordering people around, except when he was planning to thwart the brave young Assemblyman who had introduced a bill to abolish child labor and compel tenement-house owners to put fire escapes on their buildings. He always kept his hat on in the house, too, even when there were ladies present."

"Well, there may be Bosses like that outside the movies," said the Politician. "I wouldn't go so far as to deny the existence of anything merely because I'd never seen it and never seen anybody who had. But if such a Boss as that exists anywhere, you may be quite sure that he represents exactly the organization of which he is the leader, except that he is a little better,

both morally and in manners, than the organization.

“So I think it is a little unfair to blame the Boss. He is the product of the organization. You asked where he came from; that’s where he comes from. He rises to the top because he has more ability than the rest of them.”

“Oh, come, you’re pitching it pretty strong,” said Tom, in utter incredulity. “Do you mean to tell me that a low-browed ex-waiter who can’t spell has more ability——”

“Than Darwin, Shakespeare, and Socrates rolled together,” interrupted the Politician firmly, “in the matter of managing that particular organization and maintaining what it considers its interests? That’s just what I mean to tell you; you’ve put it exactly. If he didn’t, he wouldn’t last an hour. Its interests may be vicious and criminal, but if they are, he must have the ability to care for those vicious and criminal interests. It all comes back to the people, and when you speak of the people don’t get the idea that they are all angels. There are all kinds of people, and those that are preponderant in any particular locality get the kind of Boss that best represents them. No Boss, however, is a saint, and that merely leads me to the conclusion that even in the

best localities the majority of the people are not saints."

"What have the people got to do with the organization?" asked Anna.

"The people are the organization," replied the Politician. "If you are not a member of the party, it's your own fault; the law enables you to be, and nothing but your own indifference can prevent you. The organization consists of the people, or so many of them as choose to take the trouble to belong to it."

"But how can we overthrow one of these bad Bosses, if we happen to have one?" inquired the Business Woman.

"By going to the primaries and voting against his candidates, especially his candidates for State and County Committeemen, for they are the men who run the machine. It is only fair to tell you, though, that when you overthrow one Boss you will merely get another, for a Boss is simply a leader. There is no sense in changing leaders all the time. If you have a corrupt leader, you can put him out, provided there are enough people who think as you do about it, and who will take the trouble to vote that way at the primaries once or twice. Even Tammany Hall managed to do that on one occasion, though there

was no such easy way to do it in those days as the primary law of today provides for the voter. That was in the case of Boss Tweed."

"Did they get a better Boss?" asked Jane.

"They did, though you would probably consider him a pretty bad Boss. His name was John Kelly, and the contrast with Tweed was so great that he was called 'Honest John.' Yet there was a great deal of corruption in his time, and though he probably did not take bribes, and certainly did not steal, he left a fortune of half a million dollars. That was so small, however, compared with what he could have made, that his friends pointed to it with pride as a proof of his honesty.

"He represented Tammany at its best, as Tweed represented it almost at its worst. I say 'almost,' for it was worse under Croker than under Tweed. The incident of Tweed's overthrow and Kelly's succession illustrates what I have been saying, that the Boss, that is, the leader, represents the men he leads. Tammany was not squeamish in those days, but Tweed's method was not graft, it was merely plain stealing, and what he stole was not widely enough distributed. Not that Tweed did not try to distribute it, but that he was not scientific in his methods. Tammany wanted something not so unblushingly corrupt as Tweed,

but it did not want a Doctor of Divinity, not being made up of Doctors of Divinity itself; and it got Kelly, who was no moralist, had no spiritual or ethical ideals, and, without stealing anything himself, did not bother much about whether his followers stole or not."

"Then, if it all comes back to the people, there isn't any such thing as bossism?" said Tom skeptically. "I suppose you'll say that since the Boss is only the leader, bossism is merely another word for leadership."

"Bossism is a term of opprobrium, and terms of opprobrium are not definitions. Bossism is an epithet thrown at a certain kind of leadership. It means bad leadership, corrupt or tyrannical leadership. It means, in most cases, that the Boss is not what Boss Platt called himself, 'an easy boss.' But make no mistake, if the Boss has really carried his sins much further than the sentiment of the particular crowd he governs will stand for, he will be overthrown. Overthrown Bosses are thick on the pages of political history, and, in fact, the Boss who retains his control for more than a few years is rather rare.

"Sooner or later the possession of power tempts him, gives him the big head, or weakens his prudence, and he goes too far. As long as he keeps

in step with the ideals of his followers, or not much out of step with them, he is safe. So, if you find that you live in a community ruled by a bad Boss, don't exclaim against the horrors of bossism, but ask yourself what is the matter with the community. And always bear in mind that if you fight to overthrow the Boss, you won't get a paradise in which nobody will run things; you will get another Boss. For you can't get along without leaders.

"Neither can you elect leaders, for leadership is a talent, and you can't elect a man to have talent. The leader will come from the small number of men in the organization who have that particular kind of talent, whether you elect him or not. He may be an ignorant or characterless man in every other respect, but that talent he has in some measure; he has at least more of it than the men around him, or one of them would take his leadership away from him.

"Tom, you've been grinning skeptically at what I've been saying, so I'll just ask you to run over the names of the men who have bossed the Republican Party in this State for the last forty years and see if that doesn't prove it."

"I would," said Tom, cheerfully, "but I can't



at this moment remember a blessed one of 'em except Platt."

"Well, Platt's predecessor in the leadership was Roscoe Conkling, who paid very little attention to the sordid details of machine-running, and ruled chiefly through his personality. He was autocratic and domineering. The party tired of his autocracy, and fired him. Then came Platt. The heyday of his rule was in that time we were talking of a little while ago, when the question of controlling the great corporations was still new, and when the Republican Party was still maintaining its original position of letting the trusts alone as much as possible—a position it long ago abandoned.

"As long as they remained in that position they were hand in glove with the corporations, and Platt solidified his power by keeping on the best terms with them. The corporations paid the Republican Party for protection—they paid the Democrats too, but the Republicans gave them what they paid for. This they did by contributing to the campaign fund, and under Platt their payments were highly organized and systematized, and so were all the relations between the party and the corporations.

"It is all very well to look back on this with

horror, but at the time everybody knew it and nobody was in the least shocked, except the reformers. Platt was not going beyond the average sentiment of his party at that time, whatever that average sentiment may be today. The Republican Party would not have tolerated personal corruption in the Boss, would not have stood for anybody like Tweed, but it went without saying that the corporations should contribute to the campaign funds and should be on agreeable terms with the party leaders.

“Then came the change in sentiment toward the corporations. It was not on this issue that Platt fell, for let me tell you that though Bosses are continually being overthrown, they are very seldom overthrown by reformers. Nearly always they are put out by politicians who want their places. Nevertheless, the changing sentiment of the time had made Platt impossible; he was a has-been, and he no longer represented his party, so he went down. His successor, Odell, lasted only a minute, for under him not only did the corporations continue in close relations with the party, but they obviously ruled it, and what was worse, it did not appear to be the corporations in general that ruled the party, but certain particular corporations.

“Barnes followed Odell, and he is a perfect example of the meaninglessness of the word Boss in any other sense than that of a leader. Not only can nobody point to any corruption on Barnes’s part, but it cannot even be charged that his rule was tyrannical. He was simply a leader, nothing more. This point is further emphasized by the fact that after Odell’s disappearance there was an intermission in which Timothy L. Woodruff was styled the Boss, and certainly nobody could be less like a Boss, in the corrupt or the tyrannical sense, than Woodruff.

“If the party has any Boss today, it is Governor Whitman, and whether his leadership is inspired or not, it is certainly leadership of some kind. When you hear anybody complaining of the Republican Party management, his complaints are always directed against Whitman, just as complaints against Democratic management in this city are directed against Murphy. And that’s a very excellent test of whether a man is a leader or not.

“Now there, in that list, you see what a great variety there has been in the leadership of one party in one State in forty years. And yet you will notice that the Bosses of one period are very much like each other in one respect: they embody

the tendencies of the party in that period. In Conkling's time the corporation question had never come up; he represented the satisfaction of the party with itself; he was an extreme embodiment of the Republicanism of that time, and he ruled by sheer force of character. Platt and Odell, different as they were in character, came of the same school of politics, and ruled according to the same methods. Barnes and Whitman would be furious at the suggestion that they resembled each other in anything, but they do in this—that neither one of them could have been Boss in the days of Platt. The Boss may be better or worse than his following, but he must want in the main what it wants, and have more ability than it has to get what it wants for it, or he won't be Boss."

"How do you explain the fact," said the Correspondent, "that the influence of the Boss is nearly always thrown against popular legislation? Take that fat Boss that Jane saw in the movies and try to believe in his existence for a moment. Why did he work with such diabolical cunning to thwart the good young hero's bill to put fire-escapes on tenement houses and abolish child labor? Don't the plain people want those things, and aren't the plain people, according to you, represented by him?"

"Whenever the plain people are really worked up enough about the good young hero's bill, the Boss won't stand in its way," retorted the Politician. "If he does, his days as Boss are numbered."

"That's just what I was going to ask you about," cried the Business Woman, eagerly. "How can you show the Boss that he's got to get out of the way of the good young hero's bill, and even help to pass it? How can you bring your influence to bear to get good legislation, so that the party leaders will know you mean it?"

"By scaring 'em," said the Politician.

"But I can't scare 'em by sending them a postal card saying that I'm going to vote against them. They'd laugh and toss it in the waste basket. How do you scare 'em?"

## CHAPTER VI

### HOW YOU GET THINGS DONE

"How can I get a reform enacted?" insisted the Business Woman. "I don't mean how can you do it, but how can I do it? There are lots of things I would like to see done, but all I know how to do is to tell Jane and Anna what I think, and that's the end of it. But there is some way I could go to work to get my ideas into law, and I want to know what it is."

"Telling Jane and Anna is a mighty good first step," said the Lawyer. "That's the way everybody begins who wants a law enacted."

"What do you mean by that?" asked the Business Woman, looking puzzled.

"You just said," he replied, "that you couldn't scare the Bosses by sending them a postal card, telling them that you weren't going to vote for them; that they'd just laugh and throw the postal card in the waste basket. But if they got a thousand postal cards they wouldn't laugh. When you

want to scare them, you tell Jane and Anna, and more and more Janes and Annas, and get them all to——”

“Write postal cards?” cried Jane ecstatically.

Everybody laughed. “No,” said the Lawyer, recovering, “though that may be a part of it. As you said, the Bosses are not much afraid of the individual voter. But they are mightily afraid of the voter in a mass. If you get enough Janes and Annas and Henrys and Bills, too, to join you, you can interest any Boss on earth. But you’ve got to do a lot more than just write postal cards.

“What’s more, you don’t have to convince the politicians that you are in a majority, or even that you are somewhere near a majority. All you have to do is to convince them that there are a great many of you, that you all feel the same way about it, and that you mean business. It doesn’t make a particle of difference that the politicians know that you are a minority.”

“Why in the world is that?” demanded the Business Woman.

“Because it is by compact, determined minorities that these things are done. The majority of people are not interested and never can be interested. But if they are not interested in your reform, neither will they be enough interested on

the other side to take the trouble of punishing the politicians for yielding to your demands. You and your friends, on the contrary, are vitally interested, and you will take the trouble to punish the politicians if they don't yield. The politicians know that, so they yield.

“So, when you want something done in the way of legislation, begin by getting your friends interested. Get enough of them interested to interest others, and form an organization. Everything in politics is done by organization. You don't have to be a politician to do this; all you have to do is to be determined to go through with the thing. If you haven't got more than a dozen people interested, begin with a meeting in your own house. If there is anything vital in your reform, you will soon have enough recruits to be able to spread out into larger quarters.

“Then find out who your Assemblyman and State Senator are, and try to interest them in your idea. They may not be interested in it as coming from you, but they surely will be if they find out that you are the representative of an organization. For an organization means votes. Organization! You can't stir a foot without it. Your proposed law may be the finest thing that ever happened, but you can't move it a step without organization.



And the beauty of it is that anybody can start an organization. It doesn't need anything, not even brains, and you can start one for wrong purposes as well as for right ones."

"Well, from all that, I should judge that getting laws passed would be as easy as falling off a log," said Jane brightly.

The Lawyer looked a little disconcerted. "I didn't mean that," he explained. "If the legislators are unfavorable to your bill, you've got to show them. You can't scare them with a bluff at an organization, and they can tell pretty nearly as well as you can whether you've got enough people aroused to make it uncomfortable for them if they don't come around. Lots of organizations blow up and fizzle out without accomplishing anything because they are merely bluffs. An organization that exists largely on paper and hasn't got any real public sentiment behind it seldom scares anybody; although," he added, reminiscently, "I have known exceptions to that statement."

"But I should think," said the Business Woman, "that it would be an endless task to try and get thousands of people all as much interested in whatever my pet reform might be as I am myself."

"You wouldn't have to do that," responded the

Lawyer. "In fact, it couldn't be done. People are lazy, or have matters of more importance in their own eyes. You can't get many people to work for your reform. But you can get them to approve of it, to sign their names to petitions, to join organizations which don't call on them to pay dues or give up their time, and if the thing is ever carried to the polls, you have got the nucleus there of a vote which, when aroused, can be swung to punish your offending politician. Or, at least, if it can't be swung, you don't know that for a certainty, and neither does he.

"You must remember that all this isn't done in any such crass way as going to a legislator and bullying him with threats. You convince him that public sentiment is behind your bill, that's what you do. He can guess the rest. And you get public sentiment behind it by holding meetings, publishing pamphlets, getting your side of the case in the newspapers, and even by writing—well, not postal cards, but letters to the man you're after, urging him to vote your way.

"I don't suppose that legislators who yield to aggressive but well-organized minorities in this way ever have any illusions about what is happening. They know very well that the minorities are minorities. But they know that the minority is

organized and that the majority isn't. They know that the minority is intent on this one thing, while the majority is thinking of anything but that. They know, therefore, that they need not look to the majority for any help if they resist the organized minority. When they come up for re-election, it would be of no use for them to go out on the stump and say to the majority: 'Vote for me as a reward for my courage in standing out against the pressure brought by Anna's League.' The majority wouldn't remember it, so many other things have happened since, and wouldn't be interested if it did. But your league would remember it, and would vote to punish him if he didn't do what it urged him to do. He knows that, and so, with a groan, and perhaps against his own better judgment, he yields to you.

"In theory all voters are eagerly intent on public affairs, and the public official who comes up for re-election submits his record to their sternly scrutinizing gaze. That's the theory, but the actual fact is that the majority of voters don't do any scrutinizing at all and know precious little about what their representatives do. But there is a minority which always does, and it is that minority that the legislator seeks to please."

"It won't be so now that women vote," said

Anna. "They won't be so neglectful of their duties as the men."

"Unfortunately, what I tell you is true of women voters as well as men voters," answered the Lawyer. "You New York women, who have just got the vote, seem so overjoyed with it as to forget the fact that woman suffrage is no experiment, but is established in one-fourth of the Union. Of course New York women may be a miraculous exception, but let us wait until the next election to make sure before we boast of it. My own opinion is that the best a conscientious and public-spirited woman may hope for is to be one of that intelligent and praiseworthy minority which does keep track of public affairs and hold the legislators straight."

"It doesn't seem to be so much a matter of holding them straight as of holding them crooked, to judge by what you've told us," said Tom, sardonically. "If an organization can swing its club over the head of the legislator and make him support the measures of a minority, what protection have we from bad legislation emanating from those organizations? Or do you mean to say that minorities are always right, and that the legislation they propose is certain to be the best?"

"You have no protection against mistaken

legislation," admitted the Lawyer, "and mistaken legislation is mighty bad legislation. In my opinion a great number of laws that have been passed in the last five years, both at Albany and Washington, come under that head, and just for that reason. But there is not much danger of crooked legislation, of corrupt legislation, from such a source. The reason is that the work of these organizations, while it may be mistaken, is always public, and it's impossible to make a corrupt purpose public without frustrating it. You can form a foolish organization to make it a felony to own a parrot, but you can't form a corrupt organization to make it legal for you to steal the city's money. The moment that organization got into the light of day it would wither."

"I thought you said organizations could be started for wrong purposes as well as right ones," said Anna.

"I did; but a wrong purpose and a corrupt one are two different things. Evil and dangerous organizations have been formed, but they have always had to masquerade under the pretense of being in the public interest, and I don't recall any case in which the mask was not ultimately torn off. The nearest thing to success I have ever seen was the formation of those mushroom leagues designed

to aid the cause of Germany, and they were obliged to pretend that their motive was anything but what it was: they were Embargo Leagues, Labor's National Peace Councils, and things of that kind. But they couldn't keep the mask on.

"And there is always a restraint on the kind of legislation which proceeds not from corrupt motives but from wrongness of head. It is not a perfect restraint, but it is restraint enough to prevent legislation from going mad. It is the courts. The courts have the power of interpreting the laws, and if you should get an organization strong enough to bully the Legislature into passing a law laying a tax on red hair, or making it a misdemeanor to carry a powder puff, the courts would declare it unconstitutional."

"Why couldn't I take my anti-red-hair organization or my anti-powder-puff organization and threaten the courts, too?" demanded Jane. "Judges have to come up for re-election just as well as Assemblymen, don't they?"

"You could in theory, but as a matter of practical fact you couldn't. There is an unwritten law against dragging the courts into politics, and they are the only branch of the Government of which that is true. It is true that Judges come up for re-election, but it would be impossible to threaten

political reprisals on a Judge for his decisions without instantly putting one's self in the wrong. So far from being able to array public sentiment against the Judge by means of your organization, you would immediately array it against the organization. It would be about as sure a way of getting him re-elected unanimously as could be devised."

"But," said the Business Woman, "if a Judge or a court can nullify a piece of bad legislation, can't he nullify good legislation too? And doesn't that make the Judge the real Legislature? And if you can't threaten him with punishment, isn't he above public opinion? Has a court the power to nullify any law it wants to?"

## CHAPTER VII

### THE BULWARK OF THE COURTS

“WHAT has a court got to do with lawmaking, anyway?” asked Anna.

“One at a time,” said the Lawyer. “You,” he waved his hand to the Business Woman, “wanted to know whether, if a Judge could nullify a piece of bad legislation, he couldn’t nullify a piece of good legislation, too, and if that didn’t make the Judge the real legislator. A court can’t nullify any legislation whatever because it is either good or bad. The Judge’s opinions of its goodness or badness have nothing to do with the case, and it is a fairly frequent occurrence for a court to declare a law valid and at the same time make it perfectly plain that the court wholly disapproves of the law.

“It is the business of the court to interpret, not to make, the law. You may ask why a law should need to be interpreted; if it can’t be made plain enough to need no interpretation. Some



laws are; but if you will remember that the Ten Commandments are about as simple a code as can be devised, and that at this moment the nations of the earth, with arms in their hands, are interpreting them quite differently each from the other, you will conclude that it is difficult to make any rule so plain that a person whose interests are involved won't argue that it doesn't apply to his particular case.

“The courts—that is, the higher courts—not only interpret laws, but decide on their constitutionality. You may ask why a Legislature, especially when Legislatures are largely made up of lawyers, can't pass laws that are constitutional to begin with and don't need a court to decide whether they are not. It is partly because opinions always differ about whether a thing is constitutional or not, and the only way of finding out is to have somebody authorized to settle the thing, and that somebody is a court. And it is partly because human nature is fallible, and where people's interests are concerned they are generally willing to get a thing done, whether it is constitutional or not, and there has to be some way of preventing them. That way is through a court.

“A remarkable thing about this is that the courts simply assumed this power; it was not

granted to them. There was a defect in our system of government, which if not cured might make ruins of our system and our liberties. The people could make a Constitution for themselves, but they could not protect themselves against its violation.

“They could provide, for instance, that men should not be convicted of crime except after trial by jury. But how were they to prevent a Legislature, under the influence of some passion of the time, from passing a law which would deprive some classes of citizens of that right in particular cases? Wasn't the Legislature elected by the people, and wasn't it supreme? Who could stop it? The law didn't give the Governor or the President any power to interfere. There was nobody to interfere. You could adopt the most high-sounding and splendid of Constitutions, guaranteeing every sort of liberty to the people, but who was to protect them if a law was passed which interfered with the very liberties you had so painstakingly enumerated?

“Indeed, it went even deeper than this; it was more than the question, Who is to protect the people against the Legislature? It was, Who is to protect the people against the people themselves? Suppose a majority of the people, in

some time of high party rage, wished to deprive certain classes, say Quakers or Tories or Socialists or capitalists, of that right to trial by jury which had been guaranteed in the Constitution? Who was to stop them? The Legislature would bow to their will, and justify the act by some pretense that it was not really violating the Constitution at all, that this case was an exception. And the Governor or the President had no power to interfere.

“This very thing happened in France at about the time our Constitution was adopted. The French adopted Constitution after Constitution, each much more benevolent and admirable in its terms than our Constitution, and then the law-making bodies and the Executive in France proceeded to enact laws or perform administrative acts which flagrantly violated all the liberties they had so carefully set up in their Constitutions. The only remedy they could think of was to adopt a new Constitution; so they kept on adopting them, one after the other, each more beautiful in sound than the one before. But it was all in vain, because there was nothing to prevent the people themselves from violating their own Constitution, either directly or through the persons they elected to office. Finally it all culminated

in the single-handed and arbitrary rule of Napoleon.

“And furthermore, it was a very real peril in our own country. The Judges saw this immense hole in the defenses of our liberty, and they also saw that dangers were already pouring in through that breach. So they came to the rescue and stopped up the breach with their own bodies. As far back as 1782 there arose a case in which the Legislature was breaking through the Constitution of Virginia. The people who were aggrieved by the law it had enacted appealed to the Court of Appeals for help, and the court assumed the right to declare the law null because it was in conflict with the Constitution.

“Judge Wythe, who rendered the decision, defied the Legislature to overrule him in words that ring like a trumpet, that must have sounded revolutionary then and that should stir us even today; for on his courageous act and word the courts still stand as the defenders of the people’s Constitutional rights against abrogation either by the Legislature, the Administration, or the people themselves. He said:

Nay, more, if the whole Legislature, an event to be deprecated, should attempt to overleap the

bounds prescribed to them by the people, I, in administering the public justice of the country, will meet the united powers, at my seat in this tribunal; and, pointing to the Constitution, will say to them, "Here is the limit of your authority; and hither shall you go, but no further."

"That very case I was supposing, and which you may have thought an extravagant supposition, of the people's elected Legislature undertaking to deny or weaken the Constitutional right of trial by jury, came up in Rhode Island four years later, in 1786, and the court there, following Judge Wythe's lead, declared the law void. The same attempt was made in North Carolina, and in the following year, 1787, the Supreme Court of North Carolina annulled the law because it would have destroyed the right to jury trial.

"There were other cases, and by the time the Federal Constitution was put into effect it had come to be generally admitted that the courts in each State had this right, which the courts of no other country possess, to stand between the people's rights and the Legislature, and annul any law which the Legislature may pass that impairs or destroys those rights. Not their general moral rights, you understand, but those rights which

have been set down in black and white in the Constitution of the nation and the Constitutions of the different States.

“When a State adopts a Constitution it can go home and sleep soundly, knowing that, no matter how mad or corrupt some future Legislature may be, the rights it has written into that Constitution will be preserved for it by the courts. France, at the time I told you of, had no such bulwark, and France did not sleep soundly of nights.

“We talk mightily of our Constitution, as if it were a charm against evil spirits, or as if it were the True Cross, or the Ark of the Covenant. But the Constitution, by itself, is only a scrap of paper, and long ago it would have gone the way of other scraps of paper if there had not always stood between it and insidious forces the majestic figure of the Judge.

“It is due to the great Chief Justice, John Marshall, that the Supreme Court of the United States seized the power and became the great institution that it is in consequence. At first the idea that neither the people nor Congress as the people’s representative could do wrong had so firm a hold that the Supreme Court, in its beginning, was a weak and powerless thing. Chief Justice Jay

resigned in 1801, giving a reason which sounds comic today. He said:

I left the bench perfectly convinced that under a system so defective it would not obtain the energy, weight, and dignity which was essential to its affording due support to the National Government, nor acquire the public confidence and respect which, as a last resort of the justice of the nation, it should possess.

“And now that body, so destitute of ‘energy, weight, and dignity,’ so lacking in ‘the public confidence and respect,’ is the final arbiter before which the other branches of the Government must bow. It presents, as Chancellor Kent said, ‘the image of the sanctity of a temple, where truth and justice seem to be enthroned, and to be preserved in its decrees.’ It is with us a matter of course that the courts should be impartial, that they should strive to do nothing but justice; but there is nothing in the nature of a court that makes it do any such thing any more than in the nature of a Legislature. There have been countries where it was not even expected that they should. Our courts have made us expect nothing else, so that we no more notice it than we do the sunshine or the air, or any other blessing that comes as a matter of course.

“It was Marshall who, within two years after he became Chief Justice, assumed the power to declare a Federal law void as conflicting with the Constitution. Not only that, but he advanced to the position of declaring a State law in violation with the Federal Constitution, and therefore void; and this was revolutionary at that time, when the States were far more important in men’s eyes than the Federal Government.

They maintain [said Marshall, speaking of those who denied his right to overrule the judgments of State courts on Constitutional matters] that the Constitution of the United States has provided no tribunal for the final construction of itself, or of the laws or treaties of the nation; but that this power may be exercised in the last resort by the courts of every State in the Union; that the Constitution, laws, and treaties may receive as many constructions as there are States; and that this is not a mischief, or, if a mischief, is irremediable.

“Ridiculous as that sounds now, the mere statement of it shows the confusion, the encroachments, the conflicts, and the tyrannies which menaced us until the Supreme Court assumed and asserted its right to be really supreme. It then became impossible that any crooked Legislature, or even the people themselves in a moment



swayed by passion, could ever break down the liberties they had themselves written into their Constitutions, Federal and State."

"Then the courts can declare any law unconstitutional?" asked Anna.

"Not unless it is unconstitutional," said the Lawyer. "And they can't declare it unconstitutional unless it comes before them in some particular case. They don't just read the papers, see that a law has been passed, and then issue a ukase declaring it unconstitutional."

"How does it get before them, then?" said Jane.

"It doesn't get before them at all until somebody attempts to carry out the new law. If, in doing so, he hurts the interests of some other person, and that person thinks his constitutional rights are invaded by it, the aggrieved person brings a suit in court against the person who is invading them. The court decides whether, in that particular case, John Smith's constitutional rights really were invaded, and if it finds that they were, the law which enabled them to be invaded is nullified. In that case all the other John Smiths are forever protected against the invidious attack that was made upon this particular John Smith."

"I notice," said the College Woman, "that you've been talking all this time about the way

in which the courts defend the liberty of the citizen. Isn't that a debatable question? It seems to me I used to hear a good deal about the courts as bulwarks of oppression, not liberty. It came from labor agitators, I suppose, but doesn't the very fact that they talked that way show that there are two sides to the question?"

"There hasn't been much talk of that sort lately," replied the Lawyer. "But the courts are made up of human beings, and human beings make mistakes. Calling a man a Judge doesn't transform him into omniscience. Furthermore, the tendencies of men who become Judges have always been to conserve things rather than to destroy them. Sometimes the thing they are inclined to conserve is a thing that ought to go. In such a case they stand in the way of a needed reform.

"But it has never happened that they have stood permanently in the way of any reform that was really needed. They usually end by helping to make it workable. The most striking instance of that is the thing we were talking about at the beginning of this discussion, the time when the question of controlling the great corporations came up in politics. The courts were conservative, and at first their impulse was to say, 'It

can't be done.' Yet you will probably be surprised when I tell you that what we have done in the way of controlling and regulating such corporations is due, more than anything else, to the patient way in which the Supreme Court of the United States has worked to that end.

"It made some mistakes in the beginning, and it was at that time that most of the denunciations of the courts that you just referred to were made. But within ten years after the first attempt of Congress to deal with the new problem the Supreme Court was doing more than Congress could possibly do to bring the corporations intelligently and sensibly under the control of the law. It was doing so by interpreting the laws, whittling away the unworkable and developing the workable in them."

"Why does Congress pass unworkable laws, or laws that need to be pruned?" asked the College Woman. "Aren't there lawyers in Congress?"

"Congress passes laws very often with a view to pleasing the people," said the Lawyer, "or rather to pleasing some organized minority of the people which has convinced it that if it doesn't that minority will make things unpleasant at the polls."

"Oh, dear!" exclaimed Jane. "Whatever sub-

ject we take up you always bring the responsibility home to the people.”

“If I can make you realize that, I’ll have made a pretty efficient citizen and voter of you,” replied the Lawyer grimly.

## CHAPTER VIII

### THE WHEELS OF CONGRESS

"CONGRESSMEN must be a pretty weak-kneed lot."

Anna said it with considerable heat, and when the ex-Congressman turned toward her a look of pained inquiry she blushed a little and laughed.

"I can't help it," she said. "That's the impression that you have left on my mind. You have told me how I can get reforms enacted by simply organizing my friends to bully legislators, and now you explain why the courts have to work at smoothing out the kinks in laws by telling me that the laws are kinky because the men who pass them are trying to please organized minorities. Now doesn't that show that Congressmen, and State legislators too, are a weak-kneed lot?"

"If you knew how many fool laws they refuse to pass," said the ex-Congressman with some warmth, "you'd think they were a pretty stiff-backed lot. I'm afraid our friend the Lawyer

has told you so much about what can be done by organization as to create the impression in your minds that all you have to do is to organize and Congress will do anything you say; that it's a kind of magic wand that you wave over the Legislature, to turn it into a Sleeping Beauty's Court."

"Oh, I didn't mean that," said the Lawyer hastily. "I meant that the way to get things is to organize; not that by organizing you'd necessarily get everything you want. Suppose there are two organizations, one to get a law passed and one to oppose it; of course they can't both get what they want. No, I meant that without organization you can't do anything at all; and that with it you have the means to get something."

"Anyhow," said the ex-Congressman, without paying much attention to this explanation, "Congress refuses to pass a lot more wrong-headed legislation than it passes. It's all very well to call Congress weak-kneed, but Congress is merely a considerable number of human beings of different characters, aims, and temperaments. It is not the élite of the land, nor the scum of it either. It is a pretty fair representation of the average human being. It is elected under all sorts of conditions by all kinds of voters, for all manner of reasons.

"Each member of it, naturally, is ambitious and wants to make a record that will get him re-elected or promoted to a higher office. And most of them will legislate with that fact in mind. Don't flatter yourself that woman suffrage will make any great difference in that respect. Even if a man wants above all to serve the people, he can't serve them very long if they don't re-elect him, and before he has been in Congress long that fact will assume large proportions in his eyes. And don't for a moment suppose that any man ever goes to Congress with the idea of betraying the people or doing them any disservice. He may do them the worst kind of disservice, but the fault is more likely to be with his head than his heart."

"He can't serve them long if they don't re-elect him!" snorted Tom. "He can serve them for two years, that being the length of his term; and that's long enough for a man to make a record that is good enough to re-elect him without his voting for fool legislation to avert the vengeance of some fly-by-night organization."

"You're entirely wrong," retorted the ex-Congressman. "Instead of being two years, the time allotted to him is generally from five to seven months, and the difficulties in his way are such as to make it impossible for him to make a

record that he can stand on in that time. You've put your finger on the main cause why Congressmen, especially new Congressmen, are open to the temptation to act without regard to the real interest of the public.

"Isn't two years the term of office of a Congressman?" demanded Tom.

"Yes, but that has nothing to do with it. We elect our Congressmen in November of the even-numbered years. But the Congress to which our Congressman is elected does not meet until December of the next odd-numbered year—that is, it is thirteen months after he is elected before he takes his seat.

"When the new Congress does finally meet, which is on the first Monday in December, the House organizes by electing a Speaker and other officers, does a little unimportant work and then adjourns until perhaps the second week in January, when the committees are appointed. So that our Congressman, elected in November of 1918, will find that his term really begins in January, 1920.

"When he comes to that realization, it will also be borne in upon him that if he is to make any record at all his time for it is almost gone. He inquires of older Congressmen how much time is left to him, and is horrified to learn that Congress



usually adjourns in June or July. (Lately it has been staying in session longer, but these are abnormal times and don't count.)

"He knows that the nomination of his successor will come immediately after that, perhaps even before; for in many districts they nominate candidates in the Spring. More than half his term of office has passed over and he hasn't turned a wheel or burned a rocket. He hasn't even made a speech. He hasn't done anything for his district, and the home papers give him the disconcerting information that his old rival, Bill Smythe, is making speeches demanding to know whether his constituents propose to keep him in Congress as a Wordless Wonder.

"He bestirs himself frantically. He finds, however, that Congress is jammed with people in the same fix as himself, and that each one of them wants to make a speech seven hours long. He finds that the House organization has that matter in hand, and when he applies to the proper magnate that gentleman tells him that he can squeeze in five minutes for him when the debate on the Indian Appropriation bill comes up. He learns that that bill is due some time in May.

"He makes further efforts; and if he is a vigilant man and willing to spend all his time waiting for

crumbs of time, he can prevail on this or that committee chairman to give him a minute here or three minutes there until he has managed to get in a respectable number of speeches. You can't say much in a minute; but he gets the permission of the House to extend his remarks in the *Record*, which is a polite euphemism. What it really means is that he can print in the *Congressional Record* a speech he never delivered, for the purpose of fooling the folks at home.

"He feels pretty good by this time, when he glances around at his fellow-beginners and hears their complaints. Some of them have had no chance to speak at all, and haven't even been able to get permission to 'extend their remarks,' the remarks they did not make. But he isn't accomplishing anything or getting anywhere; the wheels of legislation go monotonously grinding on under the guidance of the old engineers who have been in Congress for years, and he is having nothing whatever to do with it. And Bill Smythe is asking the voters of his district if they elected him to be a Sleeping Beauty.

"He tries to get one or two bills through that he thinks will make him solid with his constituents. He finds, however, that introducing a bill is a mere formality. It consists of dropping the bill in a

hopper, where hundreds of other men are at the same time dropping theirs——”

“Excuse me, but what does that figure of speech mean?” asked the College Woman.

“What figure of speech?”

“About the hopper; what process do you intend to describe by that metaphor?”

“It isn't a figure of speech at all. I'm talking about a real, honest-to-goodness hopper.”

“Do you mean,” said the College Woman, aghast, “that there is nothing more to it than dropping it in a box?”

“I certainly do, and, what's more, that's not only the beginning but the end of it so far as most bills are concerned. Nobody ever sees or hears of them again. They are taken out of the hopper by clerks, who send each bill to the committee which seems appropriate. You read, ‘Mr. So-and-So introduced such-and-such a bill, and it was referred to the Committee on This-and-That,’ and you get a mental picture of Congress gravely inclining its ear to Mr. So-and-So's bill and deciding, after mature consideration, that it would be well for the Committee on This-and-That to take it up. Nothing of the sort, I tell you. Congress never sees or hears of the bill. Mr. So-and-So walks up to the hopper, drops the bill in, and it is sorted out

by the clerks and sent, with a bushel of others, to the Committee on This-and-That.

“Well, as I was saying, our Congressman presently wants to find out what has become of his bill, and he goes to the committee and finds that it hasn’t even looked at it, being engrossed in several hundred other measures of much more importance. Then he haunts the committee, trying to get action. Maybe he gets it and maybe he doesn’t; but all the time it’s drawing nearer to Summer and adjournment, and Bill Smythe is writing letters to the local editor inquiring if our Congressman was elected as a Congressman or as a Vacuum.

“Literally, all of our Congressman’s time at the Capitol has been spent in this way; not in legislating, but in working like a beaver to get a chance to get his name in the *Record*. Outside of the Capitol he may have been able to make more of an impression, by getting jobs or doing other favors for his constituents. Since this is the only way he can make any sort of record whatever, he is pretty likely, in despair, to forget all about the great things he intended to do and buckle down to this one thing that promises immediate results. For, he will say to himself, it is all very well for me to desire above all to perform great public services, but what great public services can I perform if

I'm not re-elected, and how can I get re-elected if I don't make a record?

"There is one thing that he has a chance to do to retrieve all his disasters. His district wants a new Post Office, or an enlargement of the old. If he can get that it will wipe out all the slurs Bill Smythe has been throwing on his inaction. It's his only chance to win the renomination; and the primaries in his district are only a few weeks away. Do you wonder if he forgets for the time all about that great speech on social justice that he was going to electrify the world with, and that bill he was going to enact abolishing poverty, and just devotes himself tooth and nail to the Post Office? For the Chairman of the Indian Affairs Committee has just told him that he finds he can't give him that five minutes to make the great speech in, and the Committee on This-and-That has informed him that his bill abolishing poverty will stay in its pigeonhole till the next session. He can't do anything with them, but he can get the Post Office.

"So he works for it, as I said, tooth and nail. He haunts the Public Buildings Committee, and finally gets those great men to put his Post Office in the general appropriation. Then he hears that a member from the State of Kentaska has denounced his Post Office appropriation as an

infamous job and a robbery of the people, and is going to move to strike it out. He knows that it isn't an infamous job at all, that his town really needs the Post Office, but the time is short and he can't convince the man from Kentaska. In sheer despair he hunts up the bill and finds that the man from Kentaska has an item in the bill making an appropriation for a Post Office in his own district. He denounces the Kentaska man's Post Office as a scheme for plundering the people. The man from Kentaska weakens, withdraws his objection, our man withdraws his, and the Public Buildings bill goes through with both these items in it."

"Is that what they call the Pork-bill?" asked Anna.

"Yes, that's the nickname given to the Public Buildings bill; and you can see that it's not only pork, but a whole dinner, for many a despairing Congressman who is at his wits' end. The pork isn't for him, but for his district. The imaginary controversy I have given you between our Congressman and the man from Kentaska is an example of what we call log-rolling. You roll my log and I'll roll yours, that's the idea."

"I think it's perfectly shameful," said Jane indignantly.

"Human nature, nothing more," returned the ex-Congressman. "You will see that there isn't any corruption in anything I have described, even the log-rolling. It certainly isn't in the general public interest: there is nothing high or noble about it. On the contrary, it's rather mean and petty. But the fault doesn't lie with the men, it lies with the system and with us."

"How with us?" demanded Anna.

"Because we want the Post Office; we want the pork. It has such a sinister sound, when we use the ugly word 'pork,' that we get the impression that something dishonest is implied. But what good is a Post Office to a Congressman? He can't use it any more than any one else. Why does he log-roll to get it? Because his constituents want it; that is, you and I want it, and will be sore if he doesn't get it, and will pat him on the back if he does get it.

"It's the same thing with widening rivers, deepening channels, and the hundred and one other public improvements that cities and towns want from Congress, as it is with Post Offices. Here in New York, where the need of such things doesn't come home to us as it does to the country districts, we are disposed to be scornful of them and to plume ourselves on our superior virtue. But plant a

public improvement in a New York district and see how long we keep this high superiority; and if you don't believe me ask some Brooklyn Congressman how he can most surely lose his chance of renomination, and he will tell you, 'By neglecting to look out for the boys in the navy yard.'"

"But when women vote—" began Anna.

"When women vote," said the ex-Congressman, "I hope Mrs. Mulcahy, whose son wants a job in the navy yard, will be so public-spirited that she won't vote against the Congressman who refuses to get it for him. And who can tell? Maybe she will be."



## CHAPTER IX

### CONGRESS AND THE LOBBY

"YOU don't mean that there isn't any corruption in Congress?" the College Woman inquired.

"I didn't say so, did I?" returned the ex-Congressman.

"No, but in the sketch you've just given of a Congressman's life you pointed out that there was no corruption in any of the things you described."

"I didn't mean to imply that a Congressman couldn't be corrupt," said the ex-Congressman. "Congress, as I said, is made up entirely of human beings, and I don't suppose you could get any large number of human beings together without taking the chance of there being a crook somewhere among them. But Congress is very much above the average in that respect. A scandal there is very rare."

"Isn't that because the scandals are not discovered?" asked Tom.

"Just the reverse. Scandals are sometimes

discovered and, when they are investigated, turn out not to be scandals at all. So far from scandals being suppressed, I should say that there are more rumors of crookedness than there ever was crookedness. You see, Congress is just like a village. It has a life of its own, apart from the life back home and the social life of Washington both.

“You at home here think of a Congressman just as a Congressman, and put them all about on a level, imagining that each sees the work of Congress before him as a whole and is on the inside of it. The truth is that the work of Congress is like that of a great factory, highly specialized in each department. A new Congressman finds the whole thing a mystery, and even an old one doesn't know much about the things that are going on outside his own line of work, any more than in a factory the man working in the repair shop or the forges knows what is going on in the auditing department.

“Furthermore, Congressmen often don't know each other. For many years David A. De Armond of Missouri was one of the three or four leading Democrats in the House and Joseph G. Cannon was one of the three or four leading Republicans. Both of them were constantly taking

part in the debates, and, in fact, each often acted as leader and manager of his party in this or that debate. They sometimes actually confronted each other from the Republican and Democratic sides of the House and clashed in sharp passages at arms.

“Finally Cannon was elected Speaker, the Republicans then being in the majority in the House. At the same time the Democratic members elected a leader, who was John Sharp Williams. He designated De Armond as his assistant leader, who in his absence was to be the official head of the House Democrats. He was mapping out his policies with his new assistant, when De Armond said:

“ ‘In case of any negotiations with the Speaker while you’re away, it might be as well if I knew him. Will you introduce me?’

“ ‘What!’ said Williams. ‘Do you mean to say that you’ve been sixteen years in Congress and don’t know Uncle Joe?’

“ ‘It’s a fact,’ said De Armond. ‘I never met him in my life.’

“So Williams introduced him. Of course, it was exceptional for two such prominent and active leaders as Cannon and De Armond to be strangers, but among ordinary members there is nothing

unusual about it. Most of the work of Congress is done outside the House itself; it is done in the committee rooms, and what you see when you watch the House in action is merely the finishing touches to work already nearly completed. So that a man who works hard has plenty to do that never brings him in contact with most of his fellow-members, and he may not even know some of them by sight.

“When you look down on the House from the gallery, it seems to your eye as if all the members were not only in plain sight of you but in plain sight of one another. If you were to sit down among them you would be surprised to find how narrow your range of vision was. Outside of the group around you the House seems merely a mass and a noise. When adjournment comes, or when you leave for any other reason, you make your way out as you would in a theatre, and you no more see the individuals than you see the individuals who are leaving the theatre with you. If a man sticks at his place all day he never sees more than the group around him from the time he comes in till the time he leaves, and when he leaves, the only people he sees are those who are leaving by the same aisle out of which he is going.

“Now in such a life as this, really the life of a

small town, human nature being what it is, there is the same tendency to gossip about one's neighbors and the same ignorance of the neighbors' real motives that there is in a small town. We all love scandal. Some Congressman hears a choice bit of it about some other Congressman, or some Cabinet officer, perhaps, and retails it to his chum in the cloakroom. For Congressmen are only human beings; they are just as credulous as other human beings; and what is more, they are often just as ignorant of everything in Congress outside of their own narrow sphere of individual activity, as you are here in New York.

"After a while the gossip gets out and there is a scandal. People are ready to believe the worst of politicians, and the mere assertion that there is something wrong in the Committee on Hymns and Doxologies is enough to damn every member of that committee in the popular mind as a crook. The members of the committee heatedly demand an investigation; the public looks on callously, and says, 'Aha! trying to cover up their tracks.' Then there is a long investigation, full of tiresome details which nobody reads. After a while the investigating committee reports that there is nothing in the scandal, and the public says, 'Whitewash.'

“That was the history of the so-called ‘leak’ scandal, in which some member of the Administration was supposed to have tipped off friends in Wall Street about the Administration’s foreign policy in order to enable them to make a fortune. The corridors of Congress were full of that gossip, and if you had heard it you would have been surprised to notice that the Congressmen who retailed it with winks and innuendoes retailed it just as a man in the subway retails some scandalous gossip. That is, they ‘got it from somebody on the inside’ or ‘from a friend of mine who knows.’ You’d suppose the Congressman himself was on the inside and knew, wouldn’t you? That’s because you imagine Congress to be a totally different thing from what it really is. It’s no more on the inside than you are, except as to the particular things the particular Congressman is engaged in.”

“Still, you don’t mean to say that that is the invariable history of every scandal, do you?” asked Tom. “Isn’t there anything in all the ancient stories about lobbyists?”

“Wait a moment,” interrupted his wife. “What is a lobbyist?”

// “A lobbyist,” said the ex-Congressman, “is a man who influences Congressmen to vote for or

against some piece of legislation. He was so called because he was supposed to stand out in the lobby and buttonhole the Congressman as he came out; and there was always an underlying idea that while he was buttonholing the Congressman in the lobby he slipped him some greenbacks.

“That sort of thing dates back to an era that is gone, but the word remains. Mind you, I don’t mean to say that bribery and corruption are gone, or that they ever will go until all men are honest. As long as there are two dishonest men, or women either, left in the world, one will bribe the other to give him what he wants. But to suppose that Congress, even in its worst days, was any worse in that respect than other bodies of men is to suppose that the voters managed somehow with unerring perception, and for no earthly reason, to pick out all the crooks in the country and enthusiastically elect them to Congress.

“Just after the War of Secession there was a great boom in material prosperity in this country, and men were so busy getting rich that for a while moral values were altogether lost sight of. Of course, Congress was affected just as all other departments of life were affected, and it reeked with corruption, but it was not a particle worse than business was, for instance. If Congress

had its Credit Mobilier scandal, business had its Black Friday and its Gold Conspiracy, and industry had its railroad wreckers.

“If you wish to know the worst of that time, read Mark Twain’s *Gilded Age*, which painted it in its blackest colors. But black as he paints Congress, he does not paint it as a wicked band of pirates elected by a high-souled and saintly constituency. He shows how men robbed one another in business by wildcat schemes; he shows how the whole age was rotten under its gilt of prosperity.

“It was in those days that the lobbyist was really the thing your imagination paints when you hear the word, the coarse briber in the lobby waiting for the dishonest Congressman to come out and be tempted. There was a rush of building up new industries, each of which wanted some concession from the Government and was willing to pay for it, and each trying to get ahead of the others by bribing faster and more furiously. That accounts for the fact that most of the scandals of that time bear the names of railroad companies.

“The nation gradually got its poise, and as it sobered up from its spree Congress, which is merely a microcosm of the nation, sobered up with it. It became harder and harder for a



lobbyist to make a living. The present-day lobbyist is a poor, miserable imitation of the glorious scoundrel who handed out fortunes and governed legislation. He makes his living entirely by swindling his employers."

"How does he do that?" asked Anna.

"By making them believe that he is bribing Congressmen when he isn't. He gets hold of some organization that is trying to push some piece of legislation, goes to Washington, and sends them periodical reports of the progress he is making, always coupled with the assurance that another thousand or two will enable him to put it over. Really he never sees a Congressman, except maybe to ask him what time it is or how he likes the weather; but the gulls back at home continue to send him money until they get tired, and then he looks around for a new set of dupes.

"It is a dirty kind of business, but his victims deserve to be robbed. They think the money they send him is being spent for bribery, and they are themselves bribers in intention. I remember once when a certain association of Government employes was trying to get a bill passed raising the salaries of those who belonged to it. They employed a Tammany ex-Congressman from this city as lobbyist. He was a very well-known man,

but I will disguise him by calling him Tim Carmody, which was not his real name.

“Carmody put up at a fine hotel in Washington and lived on the fat of the land. He never went near the Capitol, but every time his funds ran low he would inform the association that he was making great progress, and that a little more money would enable him to put it over. The bill, in fact, was pigeonholed in the committee room of the Senate Committee on Post Offices and Roads, and had no chance of ever getting out. Senator Wolcott of Colorado was chairman of that committee and ruled it absolutely.

“One week Wolcott went to New York on business, and while he was gone some member of his committee, running across this bill and not knowing that the leaders had decided it should not be reported, perfunctorily brought it up before the committee, and it went through. That is, it was reported out of the committee to the Senate for such action as the Senate might choose to take.

“Carmody saw the item in the morning paper. He had just been coming to the conclusion that he was through. The poor devils whom he was milking had been getting restive—you see all funds had to be raised by an assessment on these workingmen—and it didn't look as if they would

stand for another touch. He had been figuring on losing his job and hunting another. But that item was his opportunity.

“He wired the association something like this: ‘Have just got bill out of committee. See newspapers. All is plain sailing now if I can have another thousand. Trick must be turned between now and Tuesday. Success or failure depends on instant response.’

“So the poor dupes got together and extorted another thousand from the hard-working members of the association and sent Carmody the money. He paid his hotel bill, about which he had been in some doubt, and got out. Wolcott got back from New York, moved to recommit the bill, and it went back to his committee to die the death he had intended for it. I saw Wolcott that day, and I never saw him so angry.

“ ‘That ass on my committee,’ he said, ‘simply enabled that infernal villain Carmody to rob those poor wretches of another slice of their wages. Carmody, of course, will explain it to the satisfaction of his victims; he will tell them that the money wasn’t enough, that I held out for a higher price, and that he did his best. What infuriates me, though, is the robbery of these poor, hard-working people of money they can’t afford to lose.’

“I didn’t altogether agree with Wolcott. These poor, hard-working people were trying to bribe Congressmen, and it seemed to me that they deserved what they got. But that’s all that lobbying amounts to in these days.”

“That is,” said the Washington Correspondent, “lobbying by a lobbyist.”

“Who but a lobbyist would lobby?” asked Anna.

“Well, I’ll tell you,” said the Correspondent, clearing his throat.

## CHAPTER X

### LOBBYING, GOOD AND BAD

"IN the first place," said the Correspondent, "what is lobbying, anyhow?"

"Why, the ex-Congressman just told us," said Anna. "It's holding up a Congressman in the lobby and bribing him to vote for your bill."

"He said that was what it used to be," corrected the Correspondent. "And he said the old-fashioned lobbyist was gone. But lobbying isn't gone. And some day you'll be doing it yourself."

"Why, the idea!" exclaimed Jane, indignantly.

"You will if you ever follow that advice you've been getting about forming organizations to get the reforms you want. You can't get a reform without lobbying for it. The reason why lobbying has such an unpleasant significance is because bad bills have been lobbied for by corrupt means. But whether your bill is good or bad, and whether your means are corrupt or pure, you've got to lobby. That is, your organization has got to send people

to see the legislators and convince them that they ought to do what you want.

“When that is done by some organization you don’t approve of, you get indignant and talk about how they ‘maintain an expensive lobby to influence legislation.’ When it is done by yourself, you say that your organization is ‘fortunate in being served by such earnest workers as Mrs. Blank and Mrs. Dash, who have given their time to the cause at Washington and Albany.’”

“Hold on there just a minute,” interrupted Tom, waving a finger at him. “I understood the ex-Congressman to say that these bribery-and-corruption lobbyists did their bribing in the interest of people who wanted favors from the Government. Now, aren’t there people today who want favors from the Government? And how do they get ’em if they don’t hire lobbyists?”

“They get ’em in pretty much the same way that the ladies get a reform passed,” replied the Correspondent. “They send representatives down to Washington, but these representatives are not furtive, hole-and-corner lobbyists. If it’s a corporation that is sending them, it generally sends down its own counsel, a high-priced lawyer with a national reputation; and instead of hiding in a corner he takes the most expensive suite at the

leading hotel, hires a staff of clerks and a press agent, and has an announcement of his arrival in the newspapers.

“You see, we’ve got past the stage where corporations wanted Congress to do things. What they mainly want now is to keep Congress from doing things. The days of Mark Twain’s *Gilded Age* were the days, for instance, of the great boom in railroad building. Before then anybody who wanted to go West had to go in a wagon. After that railways were being thrown across the continent faster than you could wink, and their location meant all the difference between poverty for the place that was passed by and boundless prosperity for the place that got the location. The railroads were in the hands of men who strove against one another, playing a mighty game in which the roads were the tools. There wasn’t a moment in which they didn’t want some aid from the Government, aid not to the railways in general, but to their particular road, the one which they were using to knock out the hated rival in control of the other road.

“Things are different now. Congress has no favors to hand to the railroads. On the contrary, the era of corruption gave the railroads such a bad name as to arouse a great resentment against them,

which has come mighty near driving them to the wall, and what they now ask of Congress is generally permission to make a bare living. Unfortunately, we don't do things by halves. Either we let the railroads rob us or we rob them; there doesn't seem to be any middle ground."

"I wish you'd tell me what you mean in plain language," said Anna.

"In plain language, then, I mean that the era of corruption by the railroads is long past, but that our demagogues and ill-informed agitators act precisely as if it were still in full flower, as it was in *The Gilded Age*, and that the people until lately have followed them. They have hampered and crippled the railroads by legislation, have increased their expenses and cut down their profits until the result has been to weaken them dangerously close to the point where they would be no longer able to render good service to the public."

"Isn't that a just punishment?" asked the Business Women.

"Perhaps; but if you punish too much you will punish not only the railroads but the people. The railroads aren't merely a lot of portly Directors getting around a green baize table and plotting how to raise rates. They are the arteries through which the blood of the country flows; they are our



means of communication and our means of trading. It's dangerous business to punish an artery by cutting it.

"So, when you hear of the expensive lobby that some corporation has sent to Washington, don't jump to the conclusion that it has gone there to get Congress to commit some high-handed outrage on the people. It may have gone there to beg for its life. At any rate, it nearly always goes there nowadays, not to urge legislation, but to do what it can to stop or modify it.

"An exception to that is the case of making a tariff. When Congress is making a new tariff or modifying an old one, every industry in the country is keenly sensitive. Its interest is not in the tariff as a whole, or in tariff-making as a principle, but in the particular article which it manufactures, or grows, or sells. The action of Congress on that particular article may ruin somebody's business, or enrich it, or leave it where it is. So the somebody in question is extremely anxious that Congress shall fix the duty on that article at such a figure as to help him, not hurt him.

"So he and all the other somebodies rush down to Washington—not perhaps in person, but through their chosen representatives—to prove to Congress that it would be doing a great wrong if

it didn't fix the duties on their respective articles at the figure which would suit them best. That's a case in which people try not to keep Congress from doing things, but to get it to do things.

"But even in such cases they don't employ the old-fashioned lobbyist. The man who goes to Washington to convince Congress that it ought to lay a heavy duty on cactus is not a lobbyist; he is more likely to be the Secretary of the Cactus Trust or the President of the Cactus Growers' Association. And, as I said, he doesn't hide in a corner; he gives out typewritten statements to the newspapers."

"There's a good deal of old-fashioned lobbying still done in some State Legislatures, though," said the Politician. "Even there, though, it's not like what it used to be. Why, in the time of *The Gilded Age*, and for fully twenty years afterward, every corporation that was at all up to date hired a lobbyist just as openly as it hired a janitor, and, what is more, it was not regarded as any special detriment to a man's fame that he should be known as a lobbyist. Some of them even ran for office, high office at that, when they tired of the lobbying business, and they were not only elected but during the campaign the fact that they were lobbyists was not made an issue.

"In other words, the people, except a few reformers, saw nothing wrong in it, or nothing wrong enough to get excited about. If old-fashioned lobbying has died out, it's not because legislators or corporations have grown any better; it's because the people have. Whenever you want to reform any evil, don't try to begin by reforming politicians; go after the people, for they are the ones that are to blame."

"From all this," said Anna, "I'm getting the idea that our Congressmen must be a pretty good lot."

"They are about as good or as bad as the people that elect them," said the Correspondent. "I'm inclined to think, though, that the ones from New York drop a little below that average—not in honesty, but in brains and competency—and always have. You will see Maine or Iowa pretty well summed up in the men that Maine and Iowa send to Congress; not the best or the worst of Maine and Iowa, but its average. But you won't see New York summed up in the New York Congressman, and there never has been a time when you did."

"Why not?" asked Anna.

"Because New York is the only place in the Union where people don't take much interest in

their Congressmen. New Yorkers take no pains about picking the men for that job. You've already been told that Congress is like a small town. Well, the man that gets ahead in a small town is the man who has the most push, knows the town best, and has the qualifications for getting to the top. It's the same way in Congress. The man who gets to the top there is the man who has the qualifications for getting to the top in a small town, or a large one, or a city.

"Yet you never see a New York man at the top in Congress. New York is the Empire State and City, but it has no influence in Congress because it does not bother to send men there who will make themselves felt. The State has forty-three Representatives in the House, and the city has twenty-two of those forty-three. Many States have only one apiece. Yet in influence and importance, those States outweigh New York, because they take pains with the election of Congressmen and we don't."

"But we take as much pains in electing Congressmen as we do in electing other officials, don't we?" said the College Woman, warmly.

"No," said the Correspondent, "we don't. We take a lot more pains with the election of a Sheriff, or a County Clerk, than we do with the

man who is supposed to stand in our place in the councils of the nation.

"You've spent your vacations, no doubt, in country places where you've made the acquaintance of the folks, and you've heard them speak of Mr. So-and-So, adding with some pride, 'He's our Congressman.' It's in the same way that you would speak of a friend of yours if you were able to add, 'He's our Governor,' or 'He's our Mayor.' But can you imagine anybody in New York City speaking in that way of his Congressman? Who's your Congressman, Tom?"

"Darned if I know," said Tom, scratching his head.

"Tom, I'm ashamed of you," said his wife, indignantly. "I'll know who my Congressman is, now that I'm a voter, you can be sure of that."

"Don't be severe with him," pleaded the Correspondent. "He's no worse than the rest, and I'm not sure your own determination will last till election. But I do most earnestly hope that the women voters will pay some attention to that subject, which the men never have paid any attention to; only my hope is pretty faint. It has been this way from the very beginning. New York, both male and female, is so sufficient unto

itself that it has never been able to get the idea that Congress cuts any figure in its life."

"I suppose the Bosses take advantage of your indifference, to pick out the men who will be most serviceable to themselves in Congress," offered the College Woman.

"Not at all," was the unexpected reply. "The Bosses are New Yorkers, too, and they, like the rest of us, fall into the New York habit of never thinking about Congress at all. When the party leaders are making up their slates—their lists of candidates for office—they devote a lot of time and thought to picking out the candidate for Sheriff or Register, but precious little to picking out the candidate for Congress; not nearly so much, on the whole, as they do to picking out the candidate for Assemblyman.

"'Riordan wants to be County Clerk,' says the sub-Boss. 'He can't have it,' says the Boss, 'that job is going to Regan.' 'We ought to do something for Riordan, though,' says the sub-Boss; 'he is entitled to it, and he'll make trouble if we don't.' 'Well, let's give him something that'll keep him quiet,' says the Boss. 'Let him go to Congress from the Steenth District.' 'That won't suit him,' says the sub-Boss, 'he wants something good.' 'Well,' says the Boss, 'tell him that if he'll

take the Congress nomination and be good, we'll make him Sheriff when Regan's term expires. It's a nice gentlemanly place, and he'll come to no harm in it, and besides, I haven't got anything good to give him.'

"That's the way the Bosses look on it. As for us, the voters, we get all wrought up over the question whether Whitman or Seabury shall be elected Governor; we spare a moment or two to notice who the candidates for the Judgeships are; and as for the candidates for Congress, Assembly, and the Board of Aldermen, we lump them all together and can't tell which is running for which. One's as important as another in our eyes. The result of which is that Wyoming, with one representative in the House, outweighs in the councils of the nation the whole State of New York, and as for the city, with its twenty-two representatives, it doesn't weigh as much as the little finger of that one man from Wyoming.

"For that man, whose name is Frank L. Mondell, was picked out by Wyoming with the same meticulous care with which New York picks out a Mayor, and he has been kept in Congress for so many years that he is a man of influence. When any public question comes up, and Wyoming arises to announce its opinion through the lips of Mondell,

the House listens respectfully. But who in all the House cares a button what the city of New York thinks? If there was any way of getting at it, the House would listen with respect, but the House knows mighty well that those twenty-two men are not New York in any such sense as Mondell is Wyoming."

"How can we women voters do anything to change that state of things?" the College Woman asked.

"As easily as we men voters could have changed it, if we had ever taken enough interest to do it. By getting the right kind of candidates for Congress put before the primaries and voted on there. And remember that if you don't like the candidates the machine nominates, all that you have to do to get other names put before the primaries is to circulate a petition with those names on it. If you get signatures enough, the name you are petitioning for must go on the primary ballot; that's the law. That applies to every office, as well as to Congress."



## CHAPTER XI

### THE DARK SIDE OF POLITICS

"I ALWAYS supposed that politics was awfully corrupt," said Jane.

"Who said it wasn't?" said the Correspondent.

"Well, at least you've been talking as if the corruption in politics was very much exaggerated."

"If you would only get rid of the idea," said the Correspondent, "that politics is a thing of itself, apart from the other walks of human life, it would be a great help to you. It is not politicians that take bribes, but men. They would take bribes just as readily if instead of being politicians they were salesmen or buyers. Did you ever tip a waiter heavily to get him to give you quicker service than some other customer? Have you ever, in this sugar famine, tipped a grocer's boy with the idea that he would have sugar for you when he wouldn't have it for people who didn't tip? If you did, you can understand the position of a

corporation agent who tips a legislator to be easier on him than he is on other corporations.

“Of course the difference is that the legislator, in accepting a bribe, betrays the interest of the public, but the man who bribes him usually doesn’t worry much about that, any more than you would worry about the non-tipping customer who was fuming at another table while the waiter was hurrying up your steak. And another result of bribing legislators to avert harmful legislation is that it tempts the crooked legislator to make opportunities for bribery where none existed.”

“How does he do that?” asked Anna.

“By strike bills,” cut in the Politician.

“What are strike bills?”

“Did you ever hear the old slang word ‘strike’?” interrogated the Politician. “It has been superseded by ‘touch.’ Nowadays you hear a man say: ‘He touched me for a dollar.’ The old phrase used to be: ‘He struck me for a dollar.’ Well, that’s what a strike bill is. It is the medium by which a needy legislator touches or strikes a man or a corporation for money; ‘shakes him down for it,’ as another slang phrase puts it.

“Suppose there is no legislation pending against which a corporation needs to be protected. Naturally it won’t pay out any bribes; there is nothing

to pay for. A hungry legislator becomes dissatisfied with this state of affairs. So he introduces a bill, which, if enacted, would ruin, or at any rate hurt, the business of that corporation. He doesn't want to pass it; he only wants to scare the corporation. The corporation knows what he is after and bribes him to call off his bill."

"Can't the corporation be manly and appeal to the people?" cried Anna. "Can't it expose him? The people wouldn't stand for it, I'm sure, if they knew."

"What is there to expose? The legislator doesn't ask for any money; he simply introduces the bill and waits. Besides, the people wouldn't be so sympathetic as you imagine. The legislator who introduces that kind of bill is always one of the kind who poses as a friend of the people, and usually one of the kind who is famous for speeches denouncing corporations and upholding the down-trodden toiler. The people have got it firmly in their heads that he is a tribune, a vigilant young hero who is always on the alert to guard the public from the menace of privilege.

"This bill that he introduces is pretty sure to be popular. The people don't know that he doesn't want to pass it. On its face it looks fine. It proposes to make this greedy railroad tear up

its tracks and move over to the other side of town, so that a people's playground can blossom where they stood. Isn't that a worthy purpose? He makes a speech in which he gives statistics of the toll of deaths the greedy railroad takes on those tracks every year, and paints pictures of the fat and greasy directors planning a new robbery—a 'grab' he generally calls it. And it makes him very popular.

"The corporation knows very well that it can't appeal to the public. The public wouldn't believe it. You see, the 'strike' legislator is generally careful to attack only corporations and individuals that are not very popular. The only thing for the corporation to do is to find out how much the legislator wants and pay it to him. Then the bill dies. Nobody ever hears of it again; but the legislator has increased greatly his standing among the plain people by the vigorous and intrepid front he has shown to the greedy and gluttonous trust.

"I have in mind a certain bill that was introduced regularly every year at Albany, and usually by the same man. It was directed, not at a corporation, but at a certain kind of business. The business is not popular. The men who were engaged in it got together and formed an associa-

tion, and every year regularly, when this bill came up, the representative of the association would journey to Albany, ascertain how big the 'strike' was to be, and hand over the required amount. The members of the association were regularly assessed so much a year to pay this expense, and each came, in course of time, to regard his assessment as a regular annual charge against his business.

"This bill, if it had ever been passed, would have fettered this business by such restrictions as greatly to decrease the profits of every man engaged in it. The business, as I said, was unpopular, and the passage of such a bill would have been hailed with pleasure by nearly everybody not actually engaged in it. Indeed, it would have resulted, probably, in some benefit to the public.

"So you can see what chance the business men I speak of would have had if they had appealed to the people. They knew that it was not intended to pass the bill, but they could only say so; they couldn't prove it. They knew the object for which it was introduced, for they had paid the same legislator to withdraw it the year before, but they couldn't tell about it without incurring the penalties of bribery.

"Meanwhile our friend the legislator received

much adulation every year for his heroic stand in behalf of the people and against this unpopular business. It was true that the bill never passed, but if the people ever thought about that, they merely concluded that the wicked association had thwarted their hero's efforts, probably by bribing other legislators to sidetrack his bill. And, as long as he stayed in Albany, the legislator was able to count the yearly contribution from the association as a regular and unvarying part of his income."

"So that's a strike bill," remarked the Business Woman. "I've always wondered what a strike bill and a slush fund were. They seem to go together. What is a slush fund? Does it have anything to do with strike bills?"

"No," said the Politician. "A slush fund is a corruption fund. Of course, it's the same thing in principle as the money with which you ward off a strike bill, but a slush fund is more general in its objects. It is raised to debauch a legislative body or even the people themselves."

"Why, when do they ever debauch the people themselves?" asked the Business Woman, somewhat scandalized.

"At elections or primaries. Don't get the idea, now, that it's customary or common to do any

such thing. There have been cases in which a slush fund was poured into some district or set of districts to carry an election, and when voters were bribed by the hundred or thousand. But that is a thing you don't often see in elections now. The secret ballot has made it cost more than it is worth."

"How?" asked Jane. "And what do you mean by the secret ballot? Is there any other kind of ballot?"

"There used to be. In the old days when you went to the polling place you found a party worker there from each party. He had a bundle of ballots on which were printed the names of that party's candidates. The workers offered you their ballots, and if you were a Republican you waved the Democratic huckster aside and patronized the Republican. He gave you a Republican ballot, and you walked up and dropped it in the box. Everybody could see you do it, and everybody knew just how you voted.

"If you wanted to vote a Republican ticket in the main, but wanted to vote for the Democratic candidate for just one office, you turned away from the Republican worker you had just got your ballot from and told the Democratic worker so, and he handed you a paster for that office.

A paster was a little slip of paper with mucilage on the back of it. It contained the printed name of the man you wanted to vote for. You pasted that Democratic name on your Republican ballot, and everybody saw you do it and knew that you had voted the Republican ticket for all offices except Sheriff, and that for Sheriff you had voted for Maloney, the Democratic candidate.

“That made the bribery of the voter easy. The man who had bribed him could see whether he carried out his agreement or not. It also made intimidation of the voter easy. If your employer said to you: ‘I want the Republicans to win, so see that you vote the Republican ticket or I’ll discharge you,’ he could tell whether you obeyed him or not. In some elections, especially those that hinged on the tariff, where the employer’s pecuniary interests were at stake, that was done on a pretty large scale.

“But now we have the secret ballot. Instead of having Republican and Democratic ballots, handed to you by party workers, there is only one ballot, which has printed on it the names of all the candidates for all the offices. It is handed to you, all folded up so that nothing but the outside is to be seen, by the regular election officer when you enter the polling place. You take it into a



booth, which is screened from outside observation by a curtain, and there, where nobody can see you, you take a pencil and mark crosses opposite the names of the candidates you intend to vote for. You fold up the ballot, emerge from the booth, and drop it, still folded, into the box.

"Nobody knows how you have voted. It is no use for the employer to threaten his employe; indeed, it is rather worse than useless, for the employe is likely to revenge himself by voting the opposite way, and the employer will never know whether he did or not. As for the briber, he can still bribe, but he must take the chance that the man he bribes will take his money and vote the other way, and he must face the certainty of never knowing whether he did or not."

"Isn't there any way in which the ballot can be traced to him?" asked Anna.

"Not now. At first the men who were bribed were told to mark their ballots with pencils containing a certain kind of lead, or to mark them in a peculiar way, so that the bribers could keep tabs on them. So the law was changed to provide that no ballot would be counted if it was marked with anything but a black lead pencil, or if there was any distinguishing mark on it whatever. Of course there isn't much use in bribing a

voter if his vote isn't to be counted; it's lost money."

"I should think that would do away altogether with corruption in elections," said the Business Woman.

"It doesn't, though," said the Politician. "It has greatly lessened bribery, and has made it a risky speculation even where it persists; and it has made the old-fashioned slush fund a rarity. Where the crooked politician gets in his work now is not in bribing the voters so much as in stuffing the ballot-boxes, tampering with the count, or—as in the recent primaries in Philadelphia—bulldozing opposition voters until they don't dare to vote."

"What do you mean by stuffing ballot-boxes, tampering with the count, and bulldozing voters?" asked Anna.

"Well, when the votes have been cast, they have to be counted; and there are officials in each election district appointed to count the votes of that district. In the old days that I've told you of, when instead of one ballot there were individual ballots for Republicans and Democrats, it was an easy matter for the election officials, if they wanted the Democrats to win, for instance, to wait until the polls were closed and then pick

up a double handful of Democratic ballots and jam them into the box. Nobody was likely to prove that they hadn't been actually cast by voters. Sometimes they filled the box so full that it nearly burst, and hence arose the expression 'stuffing the ballot-box.'

"That can't be done under our law, but it is possible to tamper with the ballots after they have been cast, although it is mighty risky. It can be done, for instance, by putting distinguishing marks on a lot of the ballots cast by the enemy, so that they will be thrown out as defective. But as the counting has to be done in the presence of watchers of all the parties, the risks attending such a performance are so great that tampering with the count is a crime which has shrunk to a mere shadow of its former self.

"Sometimes, too, the gang in some election district will take a chance and vote in the names of men who don't show up. But that requires a general consent on the part of nearly everybody concerned, and presupposes that the watchers of the other party are bought up. As for bulldozing, the Philadelphia way was simply to hire gunmen to assault and if necessary murder everybody in the opposition faction who wouldn't take warning and stay away from the polls. But that is

Philadelphia, and of late years we haven't done that sort of thing to any extent in New York."

"Don't shout till you're out of the woods," said the Lawyer. "It has been showing its head again in New York of late years. Nothing has held it back but the excellent management of the police by Arthur Woods. Give it half a chance and you'll see it back in all its glory."

## CHAPTER XII

### HOW CAMPAIGNS ARE MANAGED

"I UNDERSTAND what a slush fund is now," mused the Business Woman. "And what's a campaign fund? Is it a slush fund under another name?"

"Sometimes," laughed the Correspondent, but the Politician looked disturbed.

"Lord, no," he said hastily. "A slush fund is a fund for bribery. A campaign fund is the money raised for the expenses of a campaign. If the people who spend it use it to bribe voters, it's a slush fund, just as it would be if it were used to bribe a Legislature. But in the most honestly conducted campaign there has got to be a fund to pay legitimate expenses."

"What legitimate expenses?" asked the Business Woman.

"Oh, there are a lot of them. For instance, you've been to a mass meeting, haven't you? Well, did you suppose that the people who owned

the hall gave the use of it free? Certainly not; it had to be rented. You've seen campaign banners; don't you imagine they cost money? Then those neat little printed circulars that your men folks get just before election reminding them to be sure and vote for Einstein for Municipal Court Judge; they have to be printed, addressed, put in envelopes, and mailed, and that means not only a printer's bill but salaries to the clerks who do the addressing."

"I've often wondered where they came from," said Jane. "Tom gets a perfect flood of them at every election."

"Well, if you traced them to their source you would find a suite of rooms full of busy clerks, all working, not only at addressing envelopes, but at countless other routine things. The rooms they work in are called headquarters. Not only do they get salaries, but the headquarters are not rent free. In addition to the circulars there are bright young men who get up what is called, for what reason I know not, 'literature'; that is, they select speeches, newspaper articles, and anything else that is likely to convince the voter, have them printed and send them out.

"Many speakers do not give their services free, either, and when an orator charges money he

generally charges real money. In a State campaign there are telegraph bills, traveling expenses of political agents, and any quantity of real and perfectly honest expenses. It would be impossible to run a campaign without money, and every cent of it may be honestly spent.

"In a national campaign the expenses reach out all over the country. Running a national campaign is a regular business, and the committee——"

"Ah! the committee," interrupted the Business Woman. "I was just going to ask you who runs the campaigns. What committee is it, and how does it run it?"

"There are National, State, and County committees, to run the different kinds of campaigns. In the State, each district is represented on the committee; in the nation, each State is represented on the National Committee. In the State, the districts elect their committeemen at the primaries. That is what I meant when I told you, some time ago, that if you didn't like your Boss you could overthrow him by voting at the primaries against his candidates for State and County Committeemen."

"Just a minute, please," struck in the Business Woman. "When you told me that, there was one

thing I didn't understand about it. How are you going to know who his candidates are?"

"The organization usually announces its candidates, the newspapers print their names, and if the organization is run by a Boss you will know that the organization's candidates are his. Candidates for all the offices except the biggest, and sometimes for them, are named—'designated' is the word officially used—by party committees. They can't be put on the ballot that you get at the primary without a petition having been circulated containing the requisite number of signatures, which varies according to the office; but the machine, having 'designated' its candidates, can easily get enough signatures."

"And then how do I go about beating the Boss's candidates?"

"In the same way that the machine goes about nominating them. You haven't any committee to 'designate' the men you want nominated, but you don't need any. You circulate a petition, calling for the placing of these names on the ballot, and when you get the legal number of signatures—which, as I said, varies according to the office to be filled—you file your petition with the Secretary of State and the Board of Elections. Then those names have to be printed on the ballot along with



the names of the Boss's candidates, and you and your friends and those who want the Boss overthrown vote for them instead of for the men designated by the committees. Is that all clear?"

The Business Woman said it was, and the Politician went on:

"Now you asked how the committees run the campaigns. In a national campaign, the membership of the Republican and Democratic Committees is announced at their respective national conventions, which have met to nominate candidates for President and Vice-President. As soon as the convention has adjourned, or even before, the committee meets and organizes. It consists, as I told you, of one member from each State, and the State selects its member, electing him by vote of its delegates to the convention.

"The committee then takes headquarters, usually establishing them both in New York and Chicago. It establishes them usually in an office building, and it looks like a life insurance company or the entrance to a bank. If you have an idea that a headquarters is a little nook where politicians confer in whispers and whisk in through back doors, it would do you good to take a look at one of these campaign headquarters, which may occupy a whole floor, with names painted on the

doors, and a busy staff of stenographers, clerks, and messengers in nearly every room.

“This committee takes on itself the direction of the whole campaign. It sends out speakers. The local committees arrange mass meetings and ask the National Committee to send them a speaker of national reputation, and the National Committee arranges his itinerary and fixes his dates. If the candidate for President takes the stump, the National Committee takes entire charge of him and arranges his movements throughout the whole campaign, deciding where he shall speak and even making up his train schedule for him.

“Through the local political leaders it keeps in touch with conditions in all the districts, and decides from their reports whether things look good or bad in each. If some district appears to be shaky, the National Committee concentrates efforts there, sends its best speakers, sidetracks them from other districts in spite of any protests, floods the district with the thing it calls ‘literature.’” He pronounced the word with a wry face.

“It has a large staff employed on this ‘literature,’ which is one of the most important items in carrying on a campaign. The staff gleans from every available source those arguments or that infor-

mation which may be expected to impress the voter, has it printed, and sends it broadcast. It employs press agents, whose duty is the same as that of a theatrical press agent—to get matter favorable to the enterprise printed in the newspapers, without regard to party.

“I don’t mean opinions or arguments, but news. The papers naturally want all that is going in the way of news about the campaign, and the press agents, in supplying that want, put their party’s best foot foremost. As for opinions, there are small country papers which are glad enough to have editorial articles supplied to them, and for that purpose the National Committee employs men to write editorials which are shipped to such papers on request.

“The committee gets information from every quarter about the way the campaign is going in different localities, about where the weak spots are. It finds out how the issues are affecting the people, and decides which issue to play up and which issue to put the soft pedal on, and issues instructions to speakers and workers accordingly.

“Of course a corrupt National Committee will be under the temptation, when it finds a district that is obviously ‘weak,’ to spend money illegitimately to strengthen it. But there have been no

scandals of that kind for many years. The secret ballot discouraged them, by making it impossible to find out whether a bribed voter had stayed put. There is still bribery by local corruptionists, but no National Committee in recent years has felt like taking the risk of spending a lot of money corruptly without knowing whether it got any results or not. Besides, the general character of men on the National Committees has been higher of late years—for honesty, if not for intelligence,” he added with a grin.

“In the days of *The Gilded Age*, it was almost a matter of assumption that the National Committee would spend a good part of the campaign fund in corrupting voters in districts that looked dangerous. The doubtful States became a market——”

“Just a minute, please,” broke in Jane. “What is meant by ‘doubtful States’?”

“There are certain States that always go Republican and others that always go Democratic. The rest are doubtful. The last two Presidential elections rather encourage the belief that there is no longer such a thing as a sure State, in the North at least. But after the War of Secession, party lines were tightly drawn, and it was taken as a foregone conclusion that the Southern States

would always go Democratic and the Northern States Republican, except for certain doubtful Northern States, of which the chief were New York and Indiana. These doubtful States sometimes voted one way and sometimes another, and they had large electoral votes, so that the result of the election hung on the way they might decide.

“The South did not become solidly Democratic until after 1876, because for some years after the war many white Southerners were practically disfranchised, while the negroes, who were solidly Republican, all voted, and there was in addition an influx of Northern Republicans called ‘carpet-baggers.’ They were helped out, too, by renegade Democrats called ‘scalawags.’

“But this was only possible because the North still kept the regular army in the South, and the soldiers guarded the polls. President Hayes, though a Republican, withdrew the troops, and as soon as the South was left to itself it disfranchised the negro. The carpet-baggers and scalawags disappeared, and the white men of the South, who do practically all the voting there, have ever since kept their States solidly Democratic. That is why it is called ‘the solid South.’

“The year 1876 was the last in which the Southern States were doubtful, and in that year

there was every sort of criminality, from bribery to bulldozing. In a subsequent investigation a communication from one eminent Democrat on the National Committee to an agent of the committee came to light, containing this direction: 'You may buy more mules.' The phrase became historic, and 'mules' was a name for bribery until it was displaced by another in the next election.

"That was 1880, when New York, Ohio, and Indiana all seemed on the verge of going Democratic until near election. The Republican National Committee put forth herculean efforts, and when November came they all went Republican, and the Republican candidates for President and Vice-President were elected. At a dinner given to celebrate the victory, the successful candidate for Vice-President, Chester A. Arthur, told how black the outlook had seemed in those States, and how they had been carried finally by the use of——

"Before he could finish the sentence some one called out 'Soap,' and the diners were convulsed. The word instantly took a place in the political dictionary, and 'mules' was forgotten. The Republican Party did not appear to feel keenly the general belief that it had won by bribery, and the Democratic indignation was only perfunctory.

Americans were still living in the gilded age, you see; the country was still on a spree, and its conscience was not very acute.

“In 1888, a letter to an agent of the Republican National Committee, sent by Colonel W. W. Dudley, directed him how to proceed in the still doubtful State of Indiana. It recommended him to ‘buy up floaters in blocks of five.’ That expression, too, became historic. It showed how the Republican campaign fund was probably being distributed. At the same time another letter threw light on the way it was being raised; a letter urging that the recipient should ‘fry the fat out of the manufacturers.’ ‘Fat frying’ and ‘floaters’ long remained expressive and significant words in the American political vocabulary.

“But there has been nothing of the kind since 1888; and the date is important. By the time the next national election was held—1892—the secret ballot was in force over nearly all the country. It was in an experimental and unfinished stage; indeed, we have not got through monkeying with the form of the ballot yet. It has gone through an infinite number of changes and improvements since 1890. But its adoption in any form was a discouragement to wholesale bribery.

“In 1896 Mark Hanna raised an enormous

campaign fund to elect McKinley and defeat Bryan, and the Democrats have complained of it ever since. But there has never been any proof that it was spent illegitimately. It was like the Mitchel campaign fund in the last election in New York; it horrified people by its size rather than its expenditure. The size of a campaign fund is no proof of corruption; it is quite possible to bribe voters with a fund of only \$100,000 or to spend one of \$1,000,000 foolishly without bribing anybody."

"Where do they get all that money?" asked Anna.



## CHAPTER XIII

### THE SPOILS SYSTEM

"YOU want to know how a campaign fund is raised?" queried the Politician.

"Yes, where does the money come from?" repeated Anna. "I don't suppose it just rolls up of itself."

"It doesn't," said the Politician. "It is raised by contribution, just as they raise funds for charity or for a drive of Billy Sunday's."

"That sounds innocent enough," ruminated the Business Woman. "I always had a vague, floating idea that there was something queer about the raising of those funds; that they had other ways than contributions."

"They used to," said the Politician, "although the contribution method itself can be queer enough in some circumstances. They used to raise campaign funds partly by levying on office holders for a percentage of their salaries. Sometimes that percentage was enormous. When

John Kelly was Boss of Tammany Hall, instead of merely levying on the office holders in campaign time he levied a regular annual tax on their salaries amounting often to as much as 25 per cent. What was more, the job of keeping track of the assessments was paid for by the city."

"How could the city be made to pay for it?" asked the Business Woman.

"The collector was appointed nominally to a city office, with a salary attached to it, but the only work he did was in collecting and recording the assessments. In 1882 there was a big scandal over the discovery that the Republican Congressional Campaign Committee had levied a similar tax on Federal office holders all over the nation.

"But the Civil Service Reform Association fought that evil and finally got the better of it—not altogether, but drove it under cover. The law now makes it a crime to hold up an office holder for any part of his salary for political purposes, and if it is done it has to be done furtively, like getting a drink in Kansas. Most politicians are unwilling to take the risk of going to jail by doing it even furtively. At the same time, an office holder who gets his job solely through politics and is outside the civil service rules knows that he had better keep the organization in good

humor by parting with some of his salary, and he does.

"So far as the nation is concerned, the pickings there would be pretty scanty even without the law I've referred to, because most of the Government office holders are now under the civil service rules, and you couldn't threaten discharge very effectively against men and women who are protected from it in that way. In the States and cities there is a larger proportion of offices outside the civil service law, but the rules are being extended gradually to cover more and more cases."

"I can see how raising campaign funds by assessment on office holders was scandalous," said the College Woman. "It was not only a tyranny and a hardship on them, but I suppose it laid them open to temptation to misuse their offices in order to make up the deficiency in their salaries. They couldn't refuse, I imagine, for fear that they would lose their jobs if they did."

"You've hit it exactly," said the Lawyer. "The party, or rather the machine, gave them the office, and the machine could take it away. Nominally the man was appointed by the Governor or the Cabinet officer, but actually the Governor or Cabinet officer merely appointed the persons dictated to him by the organization, and in case

the organization requested him to dismiss such a person the request would be carried out just as the request to appoint him had been. //

“You may be surprised, too, to know that even the appointment of the Cabinet officers themselves was often dictated to the President by the organization, though of course not so absolutely as it dictated to the Cabinet officers the appointment of clerks. When the President was elected, the party organizations in different States presented to him the names of men they wanted to have him put in his Cabinet. It wasn't expected, of course, that he could appoint them all; but he was expected to make a selection from those names, and he had virtually no chance to make any selections of his own.”

“Do you mean that the President didn't appoint his own Cabinet?” cried Anna.

“He appointed it from a limited list submitted to him by the organization leaders. He could refuse, of course, but if he did he faced the certainty that the organization would be aggrieved and would fight against his policies, and it might wreck his whole Administration. Gustave Koerner, one of the group of Illinois Republicans of which Abraham Lincoln was the chief, and which fought for and won his nomination to the Presi-

dency, tells in his memoirs of how the President-elect came one morning to his hotel room while he was still in bed and said, looking worried: 'I want to see you and Judd. Where is his room?' Koerner told him, and Lincoln went off and presently returned with Judd, another of the group of Lincoln leaders, while Koerner was dressing.

" 'I am in a quandary,' said Lincoln. 'Pennsylvania is entitled to a Cabinet office. But whom shall I appoint?'

" 'Not Cameron,' cried Judd and Koerner together. (Cameron was the Boss of Pennsylvania.)

" Lincoln asked whom else he could appoint, and they suggested Reeder or Wilmot. 'Oh,' said Lincoln, 'they have no show. There has been delegation after delegation from Pennsylvania, hundreds of letters, and the cry is Cameron, Cameron! Besides, you know I have already fixed on Chase, Seward, and Bates, my competitors at the convention. The Pennsylvania people say, "If you leave out Cameron you disgrace him." Is there not something in that?'

" 'Cameron cannot be trusted,' said Koerner. 'He has the reputation of being a tricky and corrupt politician.'

" 'I know, I know,' said Lincoln, 'but how can

I get along if that State should oppose my Administration?' 'He was very much distressed,' says Koerner. 'We told him we would greatly regret his appointment. Our interview ended in a protest on the part of Judd and myself against the appointment.'

"Lincoln did appoint Cameron, whose administration of the War Department was a miserable failure. In less than a year Lincoln was obliged to get rid of him and appoint Edwin M. Stanton, who was not even a Republican. By that time the grim necessities of war had made the politicians acquiesce in a good many things that would have made them furiously indignant at any other time.

"The old idea of appointing a Cabinet was that each section of the Union was entitled to recognition, and that in each section that State which had done most to bring about the President's nomination, or had done the best service in the campaign, or had shown itself most indispensable in the matter of votes, should be preferred. The State organization settled on its candidate, and the President had no more than a limited range of choice. Sometimes the President would reserve one Cabinet office for himself. For instance, the second President Harrison appointed his law

partner, William H. H. Miller, to be Attorney General; all the rest of the Cabinet places were disposed of for political reasons. There was some disposition to criticise the President for this appointment, but it was stilled by the argument that, though it might not be precisely the thing for him to do, he was entitled to one personal appointment if he chose.

“I don't wish you to understand that the President was absolutely under the thumb of the Bosses, for that would be a mistake. This very President I am speaking of, Benjamin Harrison, refused to appoint Boss Platt Secretary of the Treasury, although Platt had every one of the political reasons I have mentioned back of him. That is, he had brought about Harrison's nomination, his State had done most for his election, and its votes had proved indispensable. But Harrison did recognize the claims of New York and of Platt by appointing Benjamin F. Tracy Secretary of the Navy. The concession did not save him from Platt's bitter opposition, which was carried so far as to attempt to prevent Harrison's renomination.

“For you see, Platt and the New York organization felt honestly aggrieved. No doubt entered their heads that they were in the right and Harri-

son most basely in the wrong. In this they merely represented the general popular feeling about offices. Offices belonged to the party, not to the President. 'And not to the people,' you may feel disposed to add; but that would be going a little too far, for at that time most of the people took about the same view of it as the politicians.

"President Cleveland, a man of bull-headed independence, who had the advantage of being necessary to his party, made a dent in this old tradition by appointing men to the Cabinet, in some cases, without regard to it. The work was completed by President Roosevelt, who was then in the same fortunate position as Cleveland—that is, the party needed him more than he needed it. By the time Taft had become President it was generally accepted, by virtue of these two precedents, that the President has more to say about his Cabinet than any party organization; and Wilson completed the change by taking the advice of no political organization whatsoever about his appointments."

"Couldn't the President take a chance and fight the Boss?" asked the College Woman. "I may be wrong, but it seems to me he would have as good an opportunity to make things unpleasant



for the Boss as the Boss had to make it hard for him."

"He could, of course," said the Lawyer; "but you must remember that there was no reason for his going out of the way to fight the Boss when not only the people as a whole, but the President himself, thought the Boss was quite within his rights in making these demands. But Presidents frequently did fight Bosses, and, as you surmise, they made it extremely difficult for the Bosses when they did.

"Boss Platt was so well aware of this fact that he avoided quarrels with Presidents even on matters that affected what he regarded as his most sacred rights as a Boss. When a President made an appointment without consulting him, Platt, to avoid a fight, would pretend to the world that the President had made it at his dictation. If the truth ever came out, Platt would fight; but as long as it did not, he would rather save his face that way than be driven into a contest which he knew by experience would be unpleasant for him.

"You mustn't suppose that any President ignores political considerations, even now, in making up his Cabinet, or that he ought to ignore them. His Administration cannot succeed all by itself; he must work in harmony, so far as

possible, with Congress and the people, and you must never forget that the parties are merely the people. He should appoint a Cabinet that would strengthen his hands, not necessarily by its ability, but by its satisfactoriness, by the help it would give him to work with those elements which have got to work with him. It won't help his work at all if he unnecessarily antagonizes, at the beginning of his term, everybody on whom he is going to call later for help in putting his measures through.

“Well, then, if the organization could even dictate to the President, to a certain extent, about the membership of his official family, you can easily imagine that it could dictate much more positively to subordinate officials about whom they should appoint as clerks and messengers. And when we begin to talk about that subject it might be as well to drop the past tense, for it does still dictate, though its power of dictation has been badly crippled by the civil service law.

“The national civil service reform law was passed in 1883, and up to that time the political organizations absolutely dictated all appointments. Since the appointments were made in return for political services, not for efficiency in Government work, naturally the appointees relied

more on continued political services than on efficient Government work to keep the offices.

"That was called the 'spoils system,' because the view of politicians, and indeed of the public itself, had been summed up in William L. Marcy's epigram, 'To the victor belong the spoils of the enemy.' Since the Pendleton law, as it was called after George H. Pendleton, its sponsor, was passed in 1883, President after President has extended the rules to cover more and more offices, till now the 'spoils' are mighty scant pickings compared with what they used to be."

"But that doesn't apply, you say, to State and city offices?" asked Anna.

"Not so much, though they all have civil service laws, which are slowly being extended to cover more cases. In the cities more depends on the spirit of the administration, its way of regarding the offices, than in the National Government, where, whatever the spirit of the Administration may be, its hands are kept off the spoils by law.

"And, of course, in the long run that means that more depends on the spirit of the people themselves, for they elect the city administrations. It is by no means certain that the majority of the people don't prefer spoils government, at least at times; for they certainly vote sometimes

for candidates who represent nothing else. There has, however, been a fairly steady increase of the kind of city government based on the theory that offices are places to work in, not plums awarded for political service. It is an increase not altogether steady, for at times cities that have seemed definitely committed to that theory of government relapse at some election into the old theory and elect a straightaway spoilsmen's ticket; but, for all that, the progress is noticeable."

"I suppose you're slamming Tammany now," said the Politician, "and I'll bet you don't know what Tammany is."

"Well, what is Tammany?" retorted the Lawyer defiantly.

## CHAPTER XIV

### TAMMANY, IN NEW YORK AND ELSEWHERE

"TAMMANY is the most famous of all American institutions," said the Correspondent.

"That isn't the definition I was going to give," said the Politician.

"It isn't a definition, it's a fact," said the Correspondent. "It's America's contribution to the international political language. Some years ago I read a book on Spanish political conditions by Joseph McCabe, the British writer, in which he quoted the President of the Athenæum of Science and Letters, at Madrid, as opening a debate in the Section of Historical Sciences on the theme, 'Oligarchy and Tammany are the actual form of government in Spain.' And McCabe explained:

"I have ventured to insert the word Tammany for the untranslatable Spanish word *Caciquismo*, because it is the only word familiar to English readers which conveys the meaning.'

"And Ferrero, the Italian historian, writes a

history of Rome in which he undertakes to explain the conditions in ancient Rome so that modern Romans can understand them; and he has to go to Tammany to interpret ancient Rome to modern Rome. In describing Cæsar's political methods he says:

“‘In this department of his activity Cæsar may perhaps fitly be compared with a Tammany Boss in New York.’

“Whether it's an Englishman explaining Spain to England, or an Italian explaining ancient Italy to modern Italy, when they find themselves stuck for a household word to make their meaning clear they fall back on Tammany. And it's the only American word of which that is true.”

The Politician, who had been waiting for a chance to get in his answer to the Lawyer's question, was not altogether pleased with this interruption. He paused long enough to show his disapproval before he began:

“When I said I didn't believe you knew what Tammany was, I wasn't referring to you in particular. You have taken part in a good many reform movements, and my opinion of reformers in general is that they spend their lives fighting Tammany without ever getting an understanding of what Tammany really is, what its solid reason

for existence is. You call it names, and the names are deserved; but you don't try to find out what is back of it. How do you account for the fact that the people of the city turn Tammany out of power in one election and turn it back into power in another?"

"The people get tired of being good," said the Lawyer, "and want a wide-open town."

"That's a surface explanation," replied the Politician, "and doesn't get down to the bone. The truth is that Tammany means something. Tammany is the personal element in politics carried to the point of high organization. Reform is impersonal. Good government is impersonal. But Tammany is personal.

"Tammany is the Little Father idea in American politics. The district leader is the Little Father of his people, or at any rate he is when Tammany is its real self. I admit that the stuffing has been kicked out of Tammany in so many elections that it hasn't been feeling well until lately. But take Tammany in its flower, and it was a system like the Caliphate of Haroun-al-Raschid.

"The district leader looked after his people. He didn't confine himself merely to getting out the vote, as you reformers always picture him—when

you don't picture him as taking bribes or blackmailing or stealing money. He was the Caliph, the little despot whose despotism was beneficent if you were good. And being good didn't consist in practicing the cardinal virtues, or the seven deadly sins either; it consisted in voting right. The district leader was your Boss, your Caliph, and you looked to him for aid in tight places. You didn't look for it as a favor, either, you looked for it as a right. It was his business to look out for you.

“There never was a more successful leader than Big Tim Sullivan. He was an uncrowned king. He was the whole Tammany system in full bloom. The papers used to print accounts of Big Tim's more egregious benefactions, when he distributed shoes to every poor man in his district, or gave a dinner to all the hoboes; but they knew nothing of his constant and daily relations with the people of that district. I don't mean to imply that Big Tim was a philanthropist, but only that he was a Caliph. If a man needed a job he felt that he had a right to go to his leader and demand it; provided, of course, that his record was good for loyalty to the organization. It was the same if he needed a meal.

“The district leader, the Little Father, busied himself about the personal concerns of everybody



in his district. Even its social affairs had their spring in him. If you got into trouble with the police it was the leader's business to get you out. Naturally, you didn't inquire closely into the ways by which he got you out. In the old days he got you out because the Judge before whom you were arraigned did not dare refuse anything he asked."

"But didn't that give favored criminals the privilege of committing crime?" asked the Business Woman.

"Where the district Boss was crooked, it certainly did. In such cases he even got a rake-off from the criminals on the proceeds of their crimes. But that depended ultimately on the character of the district the leader ruled. It didn't apply to every district by a good deal. The thing that did apply to every district was the essential feature of the system, the dependence of the district on the Boss and the obligation of the Boss to look after the district.

"Everybody in the district knew the leader, or if any one didn't it was his own fault, for the leader wanted to know him. When Tammany was completely in power, every city office that could be grasped was filled by members of the organization; so that if you had a favor to ask which your district leader couldn't grant, he could go to another

district leader who did have the power and announce his wishes. For instance, take that case of your being in trouble with the police. It might be a matter beyond your district leader's control; he might not know the Judge; but he knew the Judge's district leader, who had put the Judge on the bench, and he merely told that leader what was to be done and that leader told the Judge. The system was completely interwoven, so that the district leader must have seemed omnipotent to those of his followers who did not know its windings and twistings.

“You see now what I mean by calling Tammany the Little Father idea, the personal element in politics carried to the point of organization. I admit that personal government, a government of favors, is always bad government, and that in the long run the people get the worst of it. Under Tammany they paid for their privileges, not only in the mass but individually. For the other side of favor is injustice. A favor to one means a compensating injustice to another; and the man with a pull was enabled to harry his enemy or his neighbor, while a police force that was ruled not by the law but by personal caprice could be a terrible engine of oppression to any one who fell out of the leader's favor, or even out of the favor of any one

who had the leader's ear. Dirty streets, a high death rate, tolerated crime, hit not merely the people as a whole but the individual, the poor man more heavily than the rich.

"But most people lived without coming in contact with these unpleasant experiences, and they only saw the leader in his Little Father capacity. They grumbled, perhaps, if a house of prostitution was opened next door to the schoolhouse. They went to the leader about it, and he promised that it should be moved away. It disappeared within twenty-four hours, and instead of having their eyes opened they were loud in their praise of the leader, who responded so instantly to his people's desires. They never thought far enough beyond to wonder why such places were flauntingly open at all. Most of us are affected much more by immediate personal experiences than by general principles.

"Strange as it may sound, I can give you better illustrations of Tammany government from Philadelphia than I can from New York, for Philadelphia is a more thoroughgoing example of Tammany government than New York. You think of Tammany as a local institution, but it is not. The Philadelphia Tammany is run on exactly the same principle, and it is still in full

blossom, whereas the New York Tammany has been hard hit by the elections of the last ten years, and has had many of its most picturesque features shorn off.

“The New York Tammany is Democratic, the Philadelphia Tammany is Republican, but that is merely because the preponderance of voters belong to those parties; neither of them has any political principles. The principle of both, the backbone, is the principle of the Caliphate.

“A few months ago there died in Philadelphia a typical Tammany Boss, Jim McNichol. Years ago there was a great coal famine, caused by a strike in the anthracite regions. McNichol, who was then a Ward Boss in Philadelphia—what we call a district leader in New York,—got some coal and ordered his lieutenants to deliver it to poor people in the ward who couldn't get any. When they reported progress, he asked if they had given any to a certain poor widow.

“‘No, and you bet she won't get any,’ said one of the sub-Bosses.

“‘I want some sent to her,’ said McNichol. ‘She needs it.’

“The subaltern could hardly believe his ears. ‘Why, chief,’ he expostulated, ‘have you forgotten that her two sons are agin the organization?’

“‘Are you going to put me to the trouble of taking that coal there myself?’ asked McNichol. The debate ended and the coal was delivered, but the incident was never forgotten in the ward.

“About a dozen years ago the boss of the Philadelphia Tammany was Israel W. Durham, one of the most interesting Bosses in political history. The machine in his day was founded on the salaries of officeholders, each of whom paid a specified portion of it to the organization, and the distribution was directed absolutely by the will of Durham. You can see that no pasha was more a monarch than Durham. The reason I have mentioned him is so that I can illustrate the workings of this Little Father system which is the backbone of all Tammanys, whether in New York or elsewhere.

“Durham established headquarters openly in the Betz Building, in the heart of the business section, and there, punctually at 11 o'clock every morning, he would arrive to give his orders for the government of Philadelphia. It was perfectly undisguised; it was far more open than the office of the nominal Mayor. When he arrived there each morning he would find contractors waiting to ask that city contracts be given them, officials waiting for instructions about how to conduct the city's

business during the day, politicians with problems from their wards. He would find them waiting for him in the street and in the halls, and would listen to each and decide his case in a few words.

“Once a priest was waiting there for him. His church was caring for three children whose mother was a morphine victim. She needed treatment, and the priest wanted Durham to send her to a hospital which treated such cases.

“‘Why don’t you see the hospital authorities?’ asked Durham.

“‘I have,’ said the priest, ‘but they won’t take her without money, and she hasn’t any.’

“‘Oh, they won’t,’ said the Little Father. ‘Well, I’ll see that they do.’ And they did.

“Again, Durham, rustivating at Lake Placid, heard of an orphan girl who was trying to support five little brothers and sisters and needed help. The Boss wired his Secretary: ‘Give the girl \$200 for me, and make every leader, officeholder, and contractor who comes in the office today give up, too.’ And they did; there was no escape.

“On another occasion one of the machine found a neighbor of his, a church member, in great tribulation because a saloon was about to be opened next door to his house. He could not afford to move, he had children growing up, and

saloons were his abomination. 'I'll see Durham about it,' said his friend, the politician. 'He won't help me,' said the churchman, gloomily; 'I've always voted against you people.' But his friend did see Durham, and the pasha said, after listening to the story of the churchman's woe: 'They don't really need a saloon there anyhow; tell those people they'll have to locate their ginmill two blocks up the street.'

"You may say that these are stories of a benevolent despot. The benevolence is likely to blind one to the despotism. Is it any wonder that to people who come in personal touch with such incidents as that, it is a little difficult to keep the eyes fixed on the abstract beauties of good government, that the Boss seems warm and near, and good government seems cold and hard and far removed? I don't mean that it's difficult for you," he was waving his finger at the Lawyer now, "because you're an abstraction yourself, but it's difficult for ordinary people who think a good deal about coal and food and pay envelopes, and never belonged to a Greek-letter fraternity."

"And yet it's those same people that have voted Tammany out of power time and time again in New York, and once in a great while in Philadelphia," retorted the Lawyer.

“Yes, you can get the plain people in line for good government by making them actually feel the hardships of bad government,” said the Politician, “and Tammany is pretty sure to show them bad government if it stays in power long enough. I don’t mean the local New York Tammany particularly, but any Tammany—any ‘Caciquismo,’ as the Correspondent’s Spanish friends call it. But while people don’t really want bad government, there is another kind of government that they don’t want either, and that’s a kind the reformers always give them.”

“What kind of government is that?” demanded the Lawyer.

“Uncomfortable government,” said the Politician.



## CHAPTER XV

### FUSION

"WHY can't the Fusionists take a leaf out of Tammany's book?" asked the College Woman. "Why can't they get rid of this aloofness, and get close to the people as Tammany does? Why can't they take what's good in Tammany and combine it with good government?"

"Ah, if they could it would be fine," said the Politician. "The trouble is that the two things are opposites. The good side of machine government, its personal side, consists in its ability to bestow favors. Good government, on the other hand, has got to be impartial and know no favorites. It has got to shine, or storm, on friend and foe alike, or it isn't good government.

"But cheer up. If it's impossible for reform to borrow from Tammany, it's impossible for Tammany to borrow from reform. The two things have got to be opposites, and when they try to steal each other's attractions the result is

a mess. Now and then the machine does try to borrow from the other side, and it meets dirty weather whenever it does. Roscoe Conkling once replied to the charge of extreme partisanship by saying: 'I do not know how to belong to a party a little.' Well, you can't belong to Tammany a little."

"Can you belong to Fusion a little?" asked Anna, smiling.

"What is Fusion, anyhow?" cried Jane. "I know it's the party that nominated Mitchel for Mayor of New York, but how is it made up, and what does it mean to nominate a Fusion ticket?"

"Well, in nominating a Fusion ticket—I'm not speaking of New York now, but of the general principle," said the Politician, "two or more parties that are not strong enough to win an election by themselves combine against the strongest party. They do it by nominating a ticket made up of members of the different parties concerned in the fusion."

"I thought that was it," said Jane, "but how do they combine? How are they to make sure that the voters in the primaries will nominate just the men they want named? What's to prevent the voters from nominating entirely different men, all of one party?"

"Nothing, in theory, and, as we found it in New York at the last election, nothing in practice," said the Politician. "That was just what happened. The Fusion managers agreed on candidates taken from the different parties, and then the Republican voters, at the primaries, refused to ratify the agreement and nominated a candidate of their own for Mayor.

"But that was an exception, and you want to know how the thing is usually done. You may remember what we were discussing a while back about the way in which candidates get before the primaries. They are nominated, you remember, by petition, a certain number of signatures being necessary for each office, and if any candidate gets the proper number, whether he is the candidate of the machine or of nobody in particular, his name has to go on the ballot and confront the voter when he enters the primary. And you remember that the organization names its candidates through designating committees, though they have to have the required number of signatures to their petitions just the same as if they were anti-machine candidates nominated by a group of reformers.

"Well, when a fusion is agreed on the designating committees of the different parties engaged in

the fusion all designate the same candidates. I am talking now of the way it is done in this community. Then the voters are expected to ratify the designations at the primaries, which, in the case of the Republicans in this last fusion, was not done. It was a curious political incident, because the majority of the Republicans favored the Mitchel or Fusion ticket, but, as we were saying early in this talk, most voters do not go to the primaries, and in this case only about one-fifth of the Republicans did. The majority of that one-fifth was what defeated the fusion plan and made Bennett the Republican candidate instead of Mitchel, who had been agreed on by the Fusion managers and whom most of the Republican rank and file preferred.

“In cities where the Socialists and pacifists are very strong and where the issue of loyalty to the Government in time of war has consequently arisen, the Republicans and Democrats have been fusing to keep the city in line. This was done in Chicago at the last election, and the Fusion ticket there defeated the anti-war or anti-Government party by a great majority. In Milwaukee only the other day there was a similar fusion against the anti-war Socialists on the same issue in an election that was held specially to fill a vacancy

in the State Senate, and the patriotic or fusion candidate was successful. Even before the war there was fusion against the Socialists in Milwaukee, just as here there has been fusion against Tammany at most elections."

"Of course," said the College Woman, "there can't be any fusion on national tickets, can there? I suppose that's a silly question," she added contritely, "because when candidates for President and Vice-President are nominated, of course you can't have fusion."

"But you can, and it's not a silly question at all," answered the Politician quickly. "Fusion on national tickets was known long before fusion on local tickets became popular. You can't fuse on President and Vice-President, but you can fuse on electors, and it has been done. It is the same thing, because we don't vote directly for President and Vice-President; we vote for electors in each State, and the electors vote for President and Vice-President. When we went to the polls in 1916 we didn't vote for Wilson or Hughes. If we wanted Wilson elected we voted for Democratic electors, whose duty it was to vote for Wilson.

"Well, there is nothing to prevent two parties from dividing up their electoral ticket in the same

kind of fusion that we have in city campaigns in New York. In that way in a State where neither of the parties is strong enough to win they may by combining elect several electors, and in a close election that might decide the Presidency.

“In 1880, for instance, the Greenback Party, which is now dead, was very strong in many States, especially in Maine. The Democrats had no chance to carry the State by themselves, so they fused with the Greenbackers and nominated a ticket of electors containing the names of four Greenbackers and three Democrats. It looked for a while as if this might result in giving Hancock, the Democratic candidate, three electoral votes that he wouldn't otherwise have got, for Maine was extremely likely to go for the Fusion ticket and had done so on the Governorship. But before Election Day, Maine, which was then a normally Republican State, regained her poise and voted for Garfield, the Republican candidate, though by a very small plurality—only about eight thousand.

“Then, in 1896, there was fusion on the electoral ticket in many States between the Democrats and Populists. In some States in that year there was fusion between the Democrats and another party, a short-lived one that is now almost forgotten—

the Silver Republican Party, it was called. The Democratic-Populist fusion arrangement was made in no less than twenty-six States."

"Has there always been this contest between Tammany and Fusion in New York?" asked Anna. "And do they do the same things in other cities where they have a Tammany—you said there was one in Philadelphia?"

"No, the fusion method of opposing Tammany is not so very old," replied the Politician. "They have been adopting the fusion method in Philadelphia, and the Mayor they had there before this one was elected by it. He gave a fine administration, but Philadelphia had that choice to make between a personal Caliphate and cold, glacial, impartial good government that I told you of, and when his term expired she went back to her Tammany, as New York went back to hers.

"As for your first question, Tammany is 187 years old, and the fusion method of opposing her is only 23. Its life hasn't been continuous, either. You know, there was no such sharp separation between Tammany and the good government forces years ago as there is now. The fight used to be between two Democratic machines, with the Republican machine, which was always a side show because of its small number of votes,

hanging around the ringside to pick up what it could in the way of tips.

“There never was much to choose between these two machines—not because there were not plenty of Democrats who wanted good government, but because they knew of no way to conduct an administration except a modified Tammany way——”

“And not modified much at that,” interpolated the Lawyer.

“So, of course,” continued the Politician, “when the anti-Tammany Democracy was in power it was run on political lines, and that meant that it was run by politicians. It is a question whether the anti-Tammany parties were not as bad as Tammany. Their methods were certainly the same, their machines were organized along the same lines, and they had no idea of conducting politics or government without a machine. Their first idea, like that of Tammany, was always political and partisan.

“They went under various names, Mozart Hall, Irving Hall, the County Democracy, and so on. They always died after a while, and the reason was that, while the contending factions ran the same kind of machine, Tammany ran it much better than its adversaries. The idea had



not been born then of purely non-partisan government of cities, government solely for the good of the city.

"As for the Republican Party, it was also a machine organized on Tammany lines, but it never could be so efficient as the Tammany one in the matter of that Little Fatherhood of which I spoke. The reason was that in order to be a really omnipresent and useful Little Father you must have offices, and the Republican vote in the city never was big enough to get many offices. It subsisted mostly on those Federal offices that were handed out by the Administration at Washington, and when the civil service reform law came to be enacted and extended there wasn't much left of that.

"The County Democracy was the strongest of these anti-Tammany factions, and in the days when John Kelly ruled Tammany Hall the County Democracy was ruled by a Boss exactly like him in ideals and principles, Hubert O. Thompson. Scandals in the city government, when it was in control, weakened it, and the rise of Richard Croker, a really strong Boss, gave Tammany such a superiority that the County Democracy simply died out; most of its leaders went over to Tammany, leaving on the outside a residue of unhappy

Democrats who wanted good government and didn't know how to get it.

“There were one or two feeble and unsuccessful attempts at a half-hearted fusion, and finally, on the heels of the Lexow investigation in 1894 and the frightful scandals it uncovered, there was a real fusion between the Republicans and what was left of the different anti-Tammany organizations that were dying on their feet. But the real strength of the fusion was not in these skeleton organizations, but in the earnest and unhappy Democrats who had been casting about vainly for some place to stand on.

“The Fusion ticket that was then elected gave the city an honest attempt at good government, although at that time the idea that party leaders and party organizations must run the administration still persisted to a certain extent. One cannot imagine a Fusion Mayor of the present day showing the deference to the demands of party leaders that was thought necessary under Mayor Strong. But the administration was a great step in advance, and had the good luck to be followed by the worst administration in all the city's history.

“I call it good luck, because it was such a frightful object lesson, after Mayor Strong's

honest attempt at good government, that the revulsion which it brought about swung the city much further in the opposite direction than the Strong administration had gone. There has been a steady advance in the quality of the city government since. For eight years the city has been virtually under Fusion government, for in Mayor Gaynor's time the whole city administration was Fusion except the Mayor himself, and the Mayor, though elected on a Tammany ticket, was utterly independent of Tammany Hall and everything and everybody else.'

"The Fusion idea has extended a good deal in other cities, and as for the idea of wholly non-partisan government, government based on the consideration of the city's interests alone, there have been cities that could give New York cards and spades—Toledo, for instance, which had a succession of Mayors under whom it was necessary for an officeholder to tie a string around his finger if he wanted to remember what party he belonged to."

"I don't want to interrupt you," said Anna, seeing that he had finished, "but now that you've explained fusion, I wish you would go back to what you were just saying about the Electoral College. You took it for granted that we knew

all about that, and I guess the others do, but I don't."

"You're in the same boat with a lot of men who have been voting all their lives, then," said the Correspondent.

## CHAPTER XVI

### HOW A PRESIDENT IS ELECTED

"You say that we can never vote for a President and Vice-President," said Jane.

"We never can," said the Lawyer. "The best we ever get is a chance to vote for electors. If we want the Republican candidate elected, we vote for Republican electors, and they are bound to vote for him. When we say that a candidate 'carries' such and such a State, we mean that that State has chosen electors who, when the time comes, will vote for him."

"How do we know that they will vote for him?" asked Anna.

"Because they are elected solely for the purpose of doing so. They have no other duty to perform. Theirs not to reason why, theirs but to perform the act for which they have been elected."

"It seems a clumsy sort of way, and rather roundabout," commented the Business Woman.

“Why can’t people vote directly for the President themselves?”

“Because,” said the Lawyer, “when that provision was put in the Constitution there was no intention that the people should vote for him at all, either directly or indirectly. The idea was that we should get a better run of Presidents if they were chosen, after careful deliberation, by the best equipped men of the land. How could we find the best equipped men of the land? Why, have the States elect them, have each State pick out its best men, and let them ponder over the question who should be President. There were no political parties then, you see, and our fathers made no allowance for the strong party feeling that was going to make hash of their fine scheme.”

“Why do you say ‘have the States elect them’ instead of ‘have the people elect them?’ ” asked the College Woman.

“Because the founders didn’t expect the people to have much to do with it or rather didn’t care whether they had or not. Each State was to choose its electors. If it chose to have them elected by the people, well and good; the founders had no objection. But it wasn’t obligatory, and as a matter of fact, at first the electors were not voted for by the people, as a rule.”

“Do you mean to say that the people didn’t even vote for electors?” cried Anna.

“Not generally, at first. The electors were chosen by the Legislatures of the different States. One after another the States gradually abandoned this custom and gave the people the right of voting for electors; but it was not until 1828 when Jackson was elected the first time that popular voting for electors was the rule, and so late as 1860, the year before the War of Secession broke out, one State still chose her electors through the Legislature and had no popular election for President at all. That State was South Carolina.

“Long before that, though, the electors had ceased to be the wise deliberative body that the fathers fondly imagined they were instituting, and had become simply machines for registering the will of the States as expressed at the quadrennial November election. In fact, that dream of the fathers went to smash with the end of Washington’s Administration. That Administration ended in 1796, and there were by that time two well-defined parties, the Federalists and the Democrats—or, as they were called then, the Republicans. Each party had a candidate. Virginia went Democratic, as we should say now, but when the Electoral College met one of the

Virginia electors exerted that proud privilege the fathers had given him and voted against the Democratic candidate, Thomas Jefferson.

“He was strictly within his rights, it was in fact the very thing the makers of the Constitution had intended, but Jefferson’s followers were highly displeased. In fact nobody liked it; and at the next election each party made sure, before nominating its electors, that they would stay put. The result was the growth of that tradition by which no elector can possibly violate the obligation to vote for his party’s candidates.”

“Then when you go to the polls to vote for President,” said Anna, “you vote for all the names that are printed on the ballot as your party’s candidates for electors?”

“That’s what you do if you want your party to win, although you’re not compelled to,” said the Lawyer. “It’s a curious fact, and illustrates the perversity of the human intellect, that some men will always vote against some candidate for elector on their party’s ticket. You’d suppose, since the electors are mere machines for registering the voters’ preferences, that the electors who are chosen in any State would all get the same number of votes. If there are twelve electors to be chosen from a State, you’d suppose that a



Democratic voter would vote for all the twelve Democratic candidates, since what they are elected for is to carry out the voter's wishes and vote for his candidate for President.

"Well, that's what most voters do, but not all. Some scrupulous ass will look over the names on the ticket and find one of them is a man he knows and doesn't like, or is a tool of the trusts, or an enemy of labor, or opposed to prohibition, or personally dishonest, or something, and he will vote against that particular elector. Of course he can't do that without voting for a Republican candidate for elector, so he will vote, in the case I am supposing, for eleven Democratic electors and one Republican elector.

"Sometimes there are so many asses of that kind in a given State that, although the Democrats carry the State, they lose one elector, and the Republicans, who lose the State, elect one; and in such a case the Republican candidate for President gets a vote in the Electoral College which he's not entitled to and which the voters of that State never intended him to have. Or it may be the other way, and the Democratic candidate for President may get the additional vote. On such an exhibition of mulishness by voters some Presidential election may turn; for it has already hap-

pened once in our history that a President was chosen by one electoral vote.

“I’m not talking of anything remote, either. In the last Presidential election West Virginia went for Hughes by 2,721 plurality, but one Wilson elector got in, and of West Virginia’s eight electoral votes seven went for Hughes and one for Wilson. If it had been a close election, like that of 1876, that one vote might have turned the scale, and the people of the whole country, and of West Virginia itself, and even the mulish voters in that State who had voted against one of their party’s candidates for elector, would have been defrauded of having the President they wanted because of that mulishness.”

“How are electors selected?” inquired Anna.

“They are nominated by the party organization, just like any other candidate for office. There is never any fight against their nomination, because it makes no difference who they are. They have only one thing to do, which is to vote for a Presidential and Vice-Presidential candidate already picked out for them by the people, and one man can do that as well as another. But it is an honor for a man to be able to say that he was once an elector, and he generally shows his appreciation by coming across with a contribution

to the campaign fund. I have heard of cases where the party was hard up and where the names of possible electors were pretty carefully canvassed with a view to picking out those who would be most responsive to a touch."

"And then, when they are elected," said Anna, "do they all get together and cast their votes?"

"No. The electors in each State get together in that State, but they don't meet the electors from the other States. They send the votes by messenger to Washington, where they are counted by Congress, which holds a joint session for the purpose."

"After an election," said the College Woman, "you read that the President-elect got such-and-such a majority of the popular vote. What good does that do him, if it's a majority of the electors that elects him?"

"None at all. The popular majority has no effect on the election. A candidate might have a majority of all the votes cast by the people and still not have a majority of the Electoral College, and in that case he would be defeated."

"Has that ever happened?" asked the College Woman.

"Yes. It happened in 1876, when Tilden, the Democratic candidate, had a majority of 250,935

on the popular vote and was beaten by one vote in the Electoral College.”

“But that election doesn’t count,” said the ex-Congressman. “On the face of the returns Tilden had a majority of the electoral vote as well as of the popular vote. The election was disputed, fraud was charged, and the matter was decided by an Electoral Commission appointed by Congress, which decided in favor of Hayes, and he got in by one vote. To this day the Democrats believe that Tilden had not only the popular majority but the electoral majority.”

“Oh, very well,” said the Lawyer. “Then it has happened in an election about which there can’t be any dispute. In 1888 Benjamin Harrison, the Republican candidate, had a majority of 65 in the Electoral College, but Grover Cleveland, the Democratic candidate, had a majority of 98,017 on the popular vote. Cleveland ran for President three times and had a majority of the popular vote every time he ran, and yet he was elected only twice, because only twice did he get a majority of the electoral vote. And what is still more curious, his popular majority in the year when he was defeated was larger than his popular majority the first year he was elected. In 1884 he had a popular plurality of only

62,683, and yet he had an electoral majority of 37."

"Does each State have the same number of electors?" asked Jane.

"No, each State has the same number of electors that it has Senators and Representatives in Congress. New York has the largest number of electors, forty-five, because it has forty-three Representatives and two Senators. But the lowest number any State can have is three, because every State, no matter what its population, has at least one Representative and two Senators. The only States which have only three electors are Arizona, Delaware, Nevada, New Mexico, and Wyoming."

"Must a candidate for President have an electoral majority over all the other candidates, or is it enough to have more electoral votes than the principal candidate against him?" queried Anna.

"He must have a majority over all."

"What happens in case he doesn't?" said Anna. "I suppose, though, that he always does, because the Socialists and other minor parties never get enough votes to prevent it."

"Oh, it has happened," answered the Lawyer. "It happened in 1824, when there were four candidates, none of whom had a majority of the electoral

vote—or of the popular vote either, for that matter. In such cases the House of Representatives has to take the three leading candidates in the Electoral College and elect one of them. In that case it resulted in the defeat of the candidate who had the most votes, both among the people and in the Electoral College. He was Andrew Jackson.”

“I thought you said the people did not vote for electors until 1828,” said the College Woman, who had been taking notes.

“I said popular voting wasn’t the rule until 1828. In 1824 there were still six States—and that was one-fourth of the Union as it then stood—where electors were chosen by the Legislatures, not by the people. Jackson had a plurality of about 50,000 over John Quincy Adams on the popular vote, in the eighteen States where the people voted, and a plurality of fifteen in the Electoral College, but he didn’t have a majority over all the three other candidates, and the House of Representatives elected Adams.

“That election was a curious example of how an indecisive election may thwart the popular will. The House, as I said, is restricted to the three leading candidates in the Electoral College, and they were Jackson, Adams, and William H.

Crawford. The fourth candidate, Henry Clay, had got a larger popular vote than Crawford, but he couldn't be voted for in the House because his electoral vote was smaller. So, when the House came to decide the matter, it was a fore-gone conclusion that the supporters of Jackson, Adams, and Crawford would vote for their own candidates, but Clay's followers were foot-loose and could vote for any one of the three.

"Naturally they voted the way Clay, their candidate whom they could not vote for, preferred to have them, and he preferred Adams. He knew he couldn't get along with Jackson, so he threw their votes to Adams, who was elected. Adams appointed Clay Secretary of State, and Jackson's followers charged that the whole thing was the result of a deal and made the air ring with the taunt, 'Bargain and Corruption!'

"However, Clay's followers had to vote for somebody and didn't like either Jackson or Crawford, and as for the Secretaryship of State, Clay was the fittest man for the place. The Secretaryship of State is a peculiar office, and in picking out the man for it the President very often selects somebody who was his rival for the nomination."

"As a consolation prize?" suggested the Business Woman.

“Not exactly, but——”

“And why is it a peculiar office?” broke in Jane.

“And is the Secretary of State really the Premier, or is that just a nickname?” added Anna.



## CHAPTER XVII

### PICKING OUT PRESIDENTS

"THE Secretary of State is not a Premier; we have no Premier," said the Washington Correspondent. "But he is the head of the Cabinet. It is a peculiar office for several reasons, one of which is that though the Secretary of State has under him the smallest force of any member of the Cabinet, though his department is the smallest in size, it is the most honorable post of all the ten."

"I don't understand what was just said about the President picking out one of his rivals for the nomination and making him Secretary of State," said the College Woman. "I thought the President usually appointed the most eminent statesman in his party."

"Well, the most eminent statesman in his party was generally his rival for the nomination," replied the Correspondent.

"That's why I said it wasn't exactly a consolation prize," said the Lawyer. "It's partly that

and partly a recognition of the statesmanship of the rival candidate."

"But what happens when the most eminent statesman in the party is himself nominated and elected President?" asked the College Woman, triumphantly.

"He never is," said the Correspondent, unexpectedly. "That is to say, he never is unless he is already President."

"Do you mean to say that we've never had a great President?" cried Anna, in a tone of horror.

"Oh, no," said the Correspondent. "But we didn't know they were great when we elected them. If we had, they wouldn't have got the nomination. If a man is elected President and shows greatness in the office, we have no objection to re-electing him; but unless he is already President he hasn't a chance of election except by concealing his greatness."

"You're talking in riddles," complained the Business Woman.

"I'm stating facts," asserted the Correspondent. "It isn't, of course, that we have any prejudice against greatness. But no man can have risen to real eminence without making a host of enemies. No party wants to nominate a man with a host of enemies because those enemies will vote against him at the election and defeat the party's ticket.

So they pass over the most eminent statesman in the party and pick out somebody not so eminent and not so dangerous. Sometimes a party will be so enthusiastic about its most eminent statesman that it will throw caution to the winds and nominate him. But whenever it does this it is defeated at the polls. The only exception is the one I have just given—where the eminent statesman is already President. In that case he has usually built up a popular following that is strong enough to overcome all enmities.

“The first three or four Presidents were the chief figures in their parties, but there has never been a case of that kind since. The most eminent statesman in Jackson’s party, at the time he came to the front, was Henry Clay. The most eminent statesman in Lincoln’s party was William H. Seward. Lincoln was picked out for the very reason that he was not well enough known to have any enemies. He turned out to be a much greater man than Seward, but nobody suspected it at the time he was nominated.

“Grover Cleveland became the largest figure in the Democratic Party, but he was nothing of the kind when he was nominated. Look at the cartoons of that time, and you will see that Cleveland was represented as a small boy, with Hendricks,

the candidate for Vice-President, overshadowing him as a tall man; or the ticket was pictured as a kangaroo with a little head and a large tail, Cleveland being the head and Hendricks the tail. Everybody supposed that Hendricks was the statesman and Cleveland a mere accident, put on the ticket for the sake of getting votes through the general ignorance of him. Yet who remembers Hendricks now?

“Dr. Nicholas Murray Butler, in his speech nominating Elihu Root at the Republican convention of 1916, made use of a striking argument. ‘There are those,’ he said, ‘who tell us that nothing is so unpopular with democracy as excellence. Shall we recognize excellence only to proscribe it? I do not think so meanly of American democracy.’

“Well, we don’t exactly proscribe excellence, and we want the best President we can get, but what’s the use of nominating excellence if it can’t be elected? And how can an excellent man become eminent without making enemies? And how are you going to keep his enemies from voting against him? When a man has advanced far enough to rank as an eminent statesman he must certainly have taken a stand on every question that has come up in his time, and on whatever stand he has

taken he has been sure to make enemies of the opposition side.

“That was why Seward was passed over and Lincoln chosen. The immigration question had arisen in Seward’s State, New York, and he had taken the side of the immigrants. He had been a friend of the Catholics, who at that time were weak and needed friends. The anti-Catholic and anti-immigrant organization, calling itself ‘the American Party,’ but more generally styled the ‘Know-Nothings,’ would be sure to vote against Seward in revenge for his opposition to their measures. They were strong enough to decide the result in the pivotal or doubtful States of Pennsylvania and Indiana. To nominate Seward would be to throw the votes of those States away.

“That is why Lincoln was nominated. Neither the Catholics nor the Know-Nothings had anything against him; he was too little known to have made enemies of either. The Republican candidates for Governor of Pennsylvania and Indiana, Andrew G. Curtin and Henry S. Lane, went to Chicago, where the convention was being held, and got hold of all the delegates they could. To each delegate they presented the same argument: ‘If Seward is nominated we shall be defeated, and so will he. What’s the use of giving the other side

the victory before the fight even begins?' Many of Seward's own friends saw the force of the argument and sadly gave in and voted for Lincoln.

"It was a blessing for the country that they did, for Seward would have made hash of the war. He was by no means so great as had been supposed, and the measures by which he wanted to put down the South would have led the North straight to disaster. One of the great Lincoln's hard tasks at the beginning was to suppress these schemes of Seward and make him understand that he was there to take orders, not to give them. But no one knew that Lincoln was greater than Seward when he was nominated. That discovery came when it was too late to change the arrangement.

"In 1844 the leading figures of the respective parties were Henry Clay and Martin Van Buren. Van Buren's position on the slavery question was so well known that it defeated him for the nomination, just as Seward's position on the immigration question was to defeat him. There was no use nominating a man who would lose the whole South. So the Democrats passed over their most eminent man and named James K. Polk, who had never been enough in the limelight to take an offensive position on that question. Now, Clay's position on that question was the same as Van

Buren's; but the Whigs were full of enthusiasm for him, and they nominated him anyhow. The result was that Clay was beaten and Polk, who wasn't very offensive to anybody, was elected.

"The Whig convention of 1852 gives a perfect idea of the way the delegates necessarily approach such a situation. There were three candidates: Daniel Webster, the greatest statesman of his time, who had spoken out resoundingly on every issue that had come up for thirty years; Millard Fillmore, who had been before the public only a few years, and had consequently not such a long record as Webster's, but who had taken a stand on whatever issues had come up; and General Winfield Scott, a military man with no political record whatever.

"The respective standing of the three men in the balloting is a symbol of the respective values of having a long record, a short record, and no record at all, when they are balanced in the political scales. Scott, the man with no record, got 159 votes; Fillmore, the man with a short record, got 112; Webster, the great man with the long and glorious record, got 21. There you have it; that's arithmetically the proportionate value of those three qualifications for a nomination.

"I could go through our whole political history

and show you how invariably the thing works out; how Blaine, the leading figure of his party, could never get the nomination but once, and then was defeated in the election; how Calhoun was too big for the Presidential nomination, though he would have exactly fitted the Presidency. I could show you how painstakingly the parties have searched, not for small men, but for men with no enemies, and have in consequence been obliged to take small men, or have been astonished to pick out a man as small and find him great in the Presidency. I could tell you of cases where a party had a large number, perhaps not of great men, but of high and strong figures, like the Republican Party in 1876, and deliberately passed them all over to hunt for a candidate who was just discernible above the horizon.

“But it isn’t necessary. You can see now, no doubt, why it is that the President so often appoints as Secretary of State both a defeated rival for the nomination and the most eminent man in his party. It is because they are the same man. You can see, too, why the appointment is not a consolation prize, and yet smacks somewhat of that.

“Naturally he wants to have the nearest thing his party has got to a statesman for his Secretary



of State. Almost inevitably that very man has been a candidate in the convention that nominated him, and has been passed over for him. But there is another consideration which makes the appointment of this man absolutely unavoidable.

“It is that, being the biggest figure in the party he necessarily has a strong and devoted personal following. That following is disappointed over his failure to receive the nomination. It is the biggest element in the party. If it is further alienated by ignoring him, the President might as well bid good-bye at the outset to any hope of having his Administration a success. To recognize his capacities by appointing him to the place for which his prominence designates him will bring that whole body of voters in line with the Administration, and the President can go ahead with his program with a tranquil heart.

“How closely this rule is followed is shown suggestively in the fact that, though Blaine never could win the Presidency, two Republican Presidents gave him the Secretaryship of State. Neither of them was considered by the party to be his equal as a statesman, and neither of them was nominated for any such reason. The party passed over Blaine, its foremost figure, because of the enemies he had made, and nominated men

who had few or none. In each case the President acknowledged the situation by calling Blaine to the head of his Cabinet."

"Why did President Wilson call Mr. Bryan there?" asked the College Woman.

"For just the reasons I have been describing," said the Correspondent.

"Well, I can see that some of them apply," said the College Woman, "but not all of them. I can see that Mr. Bryan had a large following, but I don't consider him a great statesman."

"Whatever opinion you hold about Mr. Bryan's statesmanship," replied the Correspondent, "he was by all odds the leading figure of his party. And as long as the majority of his party considered him a statesman, it doesn't matter what we may think, looking back now with all the hindsight that we have gathered from his two years as Secretary of State.

"President Wilson is so strong in the popular confidence to-day that it is difficult to put our minds back where they were in 1912 and remember how little of a personal following he had then. We know him so well now that it is difficult to remember not only how little we knew him then, but how little we knew about him. He was no better known to us than Lincoln was when he was

nominated in 1860; indeed, not quite so well, from some points of view. Bryan was the great dominating figure of the party then. The party expected, as a matter of course, that he would be Secretary of State; and if the President had refused he would have aligned the majority of his own party against him before his Administration had begun."

"That's a better explanation than I could have given," observed the Lawyer, "of what I said about the Secretaryship of State being a peculiar office. It stands apart from all others. It is the only one which is by a sort of common consent the special post of eminence, of general eminence. It is not for eminence in the particular duties which the Secretary of State has to fulfill, for he commonly knows little more than other statesmen about foreign affairs, which are to be his province. It is a recognition of general qualities that have brought a man to fame; and it is rewarded, not like a decoration, but as a matter of practical political necessity. There is no other office, in the Cabinet or out of it, that is filled in any such manner."

"But Secretary Lansing isn't—" began the College Woman.

"No," said the Correspondent, "he isn't. But none of the considerations I have been describing apply when the Secretary of State appointed

at the beginning of the Administration resigns. When that happens, the President has discharged his debt to eminence and makes the new appointment on the same basis on which he would appoint any other member of his Cabinet. And it frequently happens that the Secretary so appointed makes a better Secretary than the supposedly great man he succeeds.

“Without going into occurrences too near the present time, I refer you to the case of John Sherman, whom President McKinley picked for Secretary of State. Sherman had been the most statesmanlike figure of his party, but he was past his usefulness and the appointment should never have been made. When he resigned, as he had to, his place was filled by a man who occupied no such position of eminence, but who turned out to be one of the greatest Secretaries of State we ever had—I think the greatest. There have been other Secretaries who were greater in other ways, such as Jefferson and Webster, but none who were greater simply as Secretary of State.”

“Who was that?” asked Anna.

“John Hay,” said the Correspondent.

## CHAPTER XVIII

### THE CABINET

"THE Secretary of State must sometimes be an abler man than the President," commented Anna.

"Often," said the Lawyer.

"And abler than the other members of the Cabinet," she went on.

"Generally," said the Correspondent.

"And yet," she concluded, "he has only one vote in the Cabinet meetings, like the rest of them."

"He hasn't any vote at all," said the ex-Congressman.

There was a buzz of surprise.

"Nothing in that to be astonished at," said the ex-Congressman. "He isn't any worse off than the rest of them. None of them has a vote, not even the President."

"Riddles again," said the Business Woman, despairingly.

"The answer to that riddle is easy," replied the

ex-Congressman. "None of them has a vote, because they don't vote. And yet nine men out of ten go down to their graves under the impression that when a question comes up before the Cabinet the President calls for a vote on it. It never occurs to them that, if that were done, the President, who is elected by the people and responsible to them, would be abdicating his functions and giving them over to ten men who were not elected by anybody and who are responsible only to him.

"There is nothing to prevent the President from calling for a vote, of course, and sometimes he has actually done so, but never for the purpose of deciding a question—only for the purpose of finding out what the Cabinet thought about it, just as one takes a straw vote among the passengers on a train to find out what they think about the respective merits of two Presidential candidates. It is mighty seldom that he has ever done even that.

"For instance, when President Lincoln brought up the Emancipation Proclamation before the Cabinet, he introduced the subject by telling the Secretaries that the question of issuing it was irrevocably settled, and that the only reasons why he was going to read it to them were, first, that he felt it was due them that they should know

about it, and, second, that they might make any criticisms that occurred to them. Secretary Seward suggested one or two unimportant changes, and Lincoln consented to make them, and then handed the paper over to Seward to publish. Not until then, when it was all over, did Postmaster General Blair announce that he did not think it wise to issue the proclamation at that particular time, and he gave his objections, but it was merely that he might free his own mind, not at all that he expected what he said to influence the President's action.

"If the President ever does call for a vote, it is in the same way that I might call for a vote here, around this table, on the question whether I ought to give up smoking or not. I might do that, either out of curiosity or because, if I could find out what eight intelligent and sensible ladies and gentlemen thought on the subject, I could get an idea whether I really was smoking too much or not. But to suppose that your vote could determine my action on that question would be absurd; however much I might respect your opinions, the decision would be for me to make, not for you.

"Most people imagine that a Cabinet meeting is a formal affair, like a session of the Senate. If you visit Washington and are shown through the

White House, you will see the Cabinet room, with its long table and the eleven chairs around it, and the title for each Cabinet officer engraved at the place where he is to sit. It all looks mighty formal and impressive. You imagine the President calling the Cabinet to order with a gavel and stating the business before the house and calling for a motion or for remarks.

“But the truth is that a Cabinet meeting is nothing but eleven men getting together twice a week to talk about whatever needs to be talked about. Just now there is pretty sure to be something that needs to be talked about, but in times of peace there are often Cabinet meetings which consist exclusively of fishing stories or recitals of the latest cute little prank of the President’s grandson or the Secretary of War’s little niece. (I am not speaking of this Administration, but of Administrations in general.)

“In fact a Cabinet meeting under any President generally does open with a story, or a joke, or some personal topic, just as any other informal gathering of men would do, and gradually proceeds to business, but the business doesn’t come up in any order; it grows out of the conversation, just as the topics over which we have ranged at this table have grown out of the conversation without any



set order. Toward the finish the President may go down the line and ask each Secretary what is doing in his department, or call the attention of each in turn to something he wants done, but there isn't any obligation on him to do it, or any stately precedence about the order in which he shall ask his questions if he does it."

"I judge that the President is the boss and his Secretaries mere clerks?" said Tom.

"Well, you judge rightly as to the first point and wrongly as to the second," returned the ex-Congressman. "In his own department many a Cabinet officer is supreme, and the President never bothers his head about it. But that is always in a case where the President has entire confidence in the Cabinet officer, and it depends a good deal on the personality of the President and the personality of the Cabinet. Many a Cabinet officer has developed the policy of his department in accordance with his own ideas, as Hay did under McKinley and even under Roosevelt. In McKinley's Cabinet, too, Root was not only Secretary of War, but his own Secretary of War.

"But in matters in which the President does interest himself, he is the only voice; he is, as you said, the boss, and the Cabinet has not even the right of criticism unless, as in the case of Lincoln

and the Emancipation Proclamation, he invites it. President Wilson has over and over again taken the most momentous steps without the slightest foreknowledge on the part of his Cabinet, much less with its discussion of them."

"I suppose," remarked Tom, wisely, "that the first President set the fashion of being supreme, and that subsequent Presidents followed him. It is pretty hard to imagine Washington letting himself be governed by the opinions of ten men merely because he had appointed them to the Cabinet."

"There weren't any ten men in Washington's Cabinet," retorted the ex-Congressman. "There were only four, the Secretary of State, the Secretary of the Treasury, the Secretary of War, and the Attorney-General."

"Why, there must have been a Secretary of the Navy as well as of War!" cried Anna.

"There wasn't, though. Uncle Sam didn't have much of a navy, and it was looked after by the Secretary of War until 1798."

"And there must have been a Postmaster-General!" exclaimed the Business Woman. "Surely people wrote letters in those days, didn't they?"

"Not so many as they do now," laughed the ex-Congressman. "Letter-writing was something of a luxury, and most people looked on it as many

people still do on the writing of a telegram, as a thing to be done only in emergencies. It was about as expensive too. But there was a Postmaster-General, only he was not a member of the Cabinet. There wasn't enough mail to make his job of Cabinet size, and it wasn't until 1829 that he got a seat there. Now the Post Office Department is the largest department in the Government, as the State Department is the smallest.

"On the other hand, the Interior Department, which was once one of the greatest, has shrunk, because we haven't so much interior, so to speak. It came into being when the settled part of the United States was still a fringe, an outside, a shell, and the greater part of the country was either sparsely settled or altogether unknown. At first it was only a bureau of the State Department, not because there wasn't plenty of interior, but because the interior was so little bothered with as not to bring up any great problems that would need a Cabinet officer to settle. But by 1849 the problems of the interior were the greatest the growth of the country was affording, and it was elevated into a Cabinet place.

"Then the public lands, the Indian problem, and all the great questions of the interior began to shrink and the department lost its great import-

ance. The growth of the nation has since caused the Cabinet to expand along a different line, a line of industries instead of localities, and has added three new departments to the Cabinet—the Department of Agriculture, which was created in 1889; the Department of Commerce, which was created as the Department of Commerce and Labor in 1903, and the Department of Labor, which was split off from the Department of Commerce in 1913.”

“Does the President have to look out for any special political considerations in filling those places, as he does in filling the Secretaryship of State?” asked the College Woman.

“Well,” said the ex-Congressman, “he has always been expected to appoint a Western man to the Department of the Interior. It was a necessity in the days of the Interior Department’s greatness, for no Eastern man could be expected to enter into the feelings of the people whose very livelihood might depend on some action of the Secretary. It hasn’t made so much difference in late years, and President McKinley actually appointed a New Yorker, though the West wasn’t pleased.

“Even now the interests of the West are so predominant in the Interior Department that

McKinley's infraction of the precedent has never been repeated. And as the West has receded further and further toward the Pacific, it has ceased to be satisfied with appointments from States that once were considered very far West. Once Illinois was plenty far West enough for the place, but, although President Taft appointed a Chicago man to it, the West considered that to be as little a recognition of Western needs as McKinley's appointment of a New Yorker.

"McKinley's New Yorker, Cornelius N. Bliss, was succeeded by a Missourian, Ethan Allen Hitchcock, and we Easterners would be likely to consider that a pretty Western appointment. The West didn't think so, and never believed that Hitchcock was Western enough to understand its needs. I remember a Gridiron Club dinner, held just after Hitchcock resigned. It was in Roosevelt's time, and the President was at the dinner. Congressman Francis W. Cushman of Washington was called on for a speech; and in the course of it he expressed mock sympathy with the President over the loss of Hitchcock from the Cabinet.

"'The night after Hitchcock resigned,' said Cushman, 'there wasn't a dry throat west of the Mississippi.'

"Of course the farming interests are supposed

to have a say in the appointment of the Secretary of Agriculture and the union labor interests in the appointment of the Secretary of Labor; at least no appointment offensive to them would be made. New York, or at any rate the East, is usually considered as having a claim on the Treasury Department, though there is no invariable rule about it. It is evident, of course, that no man who did not know something of the conditions under which important business operations are conducted ought to hold that job, though there have been exceptions even to that.

“The Post Office Department is the most political office in the Cabinet, and the Postmaster-General has often been regarded as a sort of political manager or steersman for the Administration. The reason for that is that he has more to do with appointments to office than any other person in it. Three-fourths of the Federal offices are in the Post Office Department, this department which until 1829 was too small to get into the Cabinet at all.

“Formerly these offices were all open to the spoilsman, so that Marcy’s axiom, ‘To the victor belong the spoils of the enemy,’ might have been amended by substituting the words ‘Post Offices’ for ‘spoils.’ At any rate the Presidential election

was in the minds of many people simply a battle for the Post Offices, conducted every four years. There are about 400,000 employes of the civil service, and about 300,000 of them are in the Post Office Department.

“So that whenever the party in power was turned out of office at a Presidential election, the successful party prepared for the parceling out of the jobs, and as most of them were in the Post Office Department, that made the Postmaster-General the Santa Claus of the new Administration. This made it necessary to select a keen and experienced politician for that office. The First Assistant Postmaster-General was generally called the ‘headsman,’ or ‘the man with the axe,’ because he had direct charge of the official beheading of the Government employes left over from the last Administration and the appointment of deserving partisans to their places.

“The civil service reform law made a big difference immediately, and President after President extended it further and further till now it spreads over half of the civil service. The man with the axe hasn’t much elbow room now. It still remains a fact, however, that the Postmaster General is looked upon as the political coxswain of the Administration, that he is supposed to be

more closely in touch with the party leaders in different localities, and best able to marshal votes within the party for the Administration's candidates and purposes."

"For the Administration's candidates?" repeated the Business Woman. "Its candidates for what? What should the Administration have candidates for?"



## CHAPTER XIX

### THE THIRD-TERM DELUSION

"THE President generally wants to succeed himself," said the ex-Congressman.

"And if he doesn't," the Correspondent added, "he generally has a candidate for the job he is going to vacate."

The College Woman was inclined to regard this as a deplorable state of things. The Business Woman thought it was all right. They looked toward the Lawyer as if they expected him to intervene, and that gentleman, who, as has been intimated, is something of a reformer in politics, took a hand, though not very warmly.

"It has been a bad influence in politics," he said. "It's not so bad now, but it's bad enough. The reason why it used to be worse than it is now is that under the spoils system the President could actually control the choice of his successor, as far as the nomination was concerned. He could control it through the use of Federal patronage.

“The local Bosses were also the local officeholders, or else had named the men who held the local offices. That meant that the officeholders were in control of the local organizations, and even if the party was disgusted with its President or very much in favor of the nomination of somebody else, they could control enough votes to force his nomination by the use of their machines. If they wouldn't do it he was under a strong temptation to remove them from office, and he generally yielded to it.

“That put the President in the position of using patronage to force his own renomination. But it was even worse than that. It tempted him at the beginning of his Administration to look forward to his renomination and to put in office men who would help that event along.

“The only reason why this situation isn't just as bad now as it formerly was is that one-half the power of the spoils system has been cut off by the civil service reform law. The failure of Federal offices as a sure means of supplies has forced the local Bosses to look more to the State and city organizations, and they don't pay so much attention now as they once did to the Federal patronage whip. But it is still a fact that Federal officeholders are disagreeably prominent and dispro-

portionately influential in obtaining the renomination of a President, particularly of a Republican President."

"Why of a Republican any more than a Democrat?" asked the College Woman.

"Because a Republican President who is seeking renomination starts with the votes of a whole section of the Union which, so far as his party is concerned, is dominated wholly by Federal officeholders. That is the South. The Republican Party organization in the South is entirely controlled by Federal officeholders when the party is in power, and when the convention meets it is confronted at the outset by a solid office-holding South. The President may be never so unpopular, but he has that initial asset, and if to the Southern officeholders he can add enough strength derived from patronage in the North he may be able to overwhelm the real sentiment of his party and get a nomination which is against the will of the rank and file.

"That happened, for instance, in the case of the renomination of Benjamin Harrison, but it generally brings its own punishment. The disgruntled rank and file stay away from the polls on Election Day, and the Democratic candidate is elected."

“All the same,” said the Politician, “there is nothing whatever the matter with the President wanting to succeed himself, or having a candidate for his place if he doesn’t want to, and doing everything legitimate to bring about success for his desires. He must have wanted to be President once, or he wouldn’t have been nominated. What is there about four years in the White House that should change his mind on that subject? He must think he would be a good President, or he wouldn’t have had the nerve to take the job. If he is a good President, why should he deny to the people the right to have such a good President for another four years? And he is denying it to them if he lies down and lets the other fellow take the nomination away from him.

“We are all under the influence of the Washington legend. Washington was so greatly admired by his contemporaries that everybody who sought to hold office was in a way tested by the question how far he modeled himself after Washington. Now, very few people resemble Washington; and since a man had to model himself after some one he didn’t resemble, a false and artificial standard was created which is the thing I call the Washington legend.

“One of Washington’s peculiarities was that

he didn't want public office; so, from that time to this, it has been necessary for everybody else to pose as nobly indifferent to public office, as 'letting the office seek the man.' It has been deemed, somehow, a disgrace to a man to be suspected of wanting the Presidency or the Governorship. Why, it is no more a disgrace to want to be President than it is to want a commission in the army. This is the only country where public men are forced into this strait-jacket, and it is simply because of the Washington legend. In Washington's case it was a matter of temperament; he didn't like to hold office, much preferring other things.

"That, by the way, is the origin of one of the most singular delusions in American politics—the anti-third-term delusion. Most men believe that the people have set their faces like flint against a third term for any President, and the superstition is so generally believed in that whenever a man is spoken of for a third term, the supposed tradition is always invoked against him. It is usually put in some such form as this: All the early Presidents declared against a third term because they did not believe it democratic, and whenever, in subsequent times, a President has rashly attempted to set his judgment against theirs, the people

have majestically rebuked him for his presumption. Generally, they mention Grant as an instance.

“Now, this tradition is the merest moonshine. It is true that it has become a tradition, but only because so many ill-informed people have gone on repeating it as to make it a matter of almost religious belief. But the actual fact is that there is not a word of truth in the set of facts it assumes. There was just one, and one only, of the early Presidents who sought to establish such a tradition, and there has not been a single case in which a President has been rebuked by the people for attempting to set it aside. The one President who did attempt to establish the tradition was moved fully as much by personal inclination as by conviction, and he was one whose political actions have mostly been proved to have been based on mistaken fears.

“The Washington legend is always invoked to back up the tradition. Washington is supposed to have viewed with alarm the dangers of re-electing Presidents, and to have self-sacrificingly given up the Presidency so as to set a precedent. Nothing of the kind. Washington tried to avoid a second term because he did not like the job. He started work on his Farewell Address before his first term was over, and intended to issue it

then, because he was anxious to get back to a more congenial life; but his advisers, including even Jefferson, urged him, as he himself says, to consider 'the perplexed and critical posture of our affairs with foreign nations' and appealed to his patriotism. Their opinion, Washington says, was unanimous, and he reluctantly gave in to it.

"But when his second term came to an end his longing for private life could not be restrained, and he issued the Farewell Address. But there is in it not a line or a word showing that he regarded the matter of a third term as involving any principle or anything whatever but his own inclinations. On the contrary, his declination of a third term is actually apologetic; he almost begs the people to let him off; he seems to have an uncomfortable feeling that he really ought to take a third term, and is dodging a duty in not taking it, and he argues the point to prove that the country can get along without him.

" 'I beg you to do me the justice,' he says to the people, 'to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country.' He begs them to believe that he is 'influenced by no dimi-

nution of zeal for your future interest, no deficiency of grateful respect for your past kindness,' and that, on the contrary, his retirement is—what? 'Compatible with both'; not, as you would expect, necessary for the establishment of a democratic tradition against third terms.

"He doesn't stop there. He goes on and argues the question, defending himself against the criticisms he foresees; and he distinctly implies that if the problems before the country were still as vexing as they had been, he would have overridden his own inclination and stayed in office. So far from regarding it as a duty for a President to refuse a third term, Washington plainly regarded it as something like a duty to accept one, unless, as he said, public affairs were in such a happy state as to 'render the pursuit of inclination no longer incompatible with the sentiment of duty.'

"But Jefferson really did want to found a tradition. When this Government was founded, as was said early this evening, it was in the midst of absolute monarchies, and many of its founders thought we were in danger of gravitating into monarchy ourselves. Our perils have proved to lie in entirely different paths; but under the influence of that fear they did many things to avert this imaginary danger. Jefferson took many



measures which now seem ridiculous: he strangled the navy, for instance, and even when we were threatened with war he tried to have us prepare for it only by building a flock of little gunboats to patrol the coast. Any real navy he was more afraid of than he was of monarchy. He was wrong about it. Experience has shown us that there is nothing so very horrible about a navy. Jefferson's fears were mostly chimeras, like that one.

"Being afraid of monarchy, he deliberately resolved to set a precedent by refusing a third term, saying: 'A few more precedents will oppose the obstacle of habit to any one after a while who shall endeavor to extend his term.' But it wasn't solely a matter of principle with him; he was feeling that same weariness of office which Washington had felt, and his health was worrying him. 'I am entitled to my discharge,' he said, 'and should be sorry indeed that others should be sooner sensible than myself when I ought to ask it.' And to Lafayette he wrote: 'I am panting for retirement, but am as yet nearly two years from the goal.' He was impelled, he said, by several considerations, 'not the least weighty of which is a consciousness that a decline of physical faculties cannot leave those mental entirely unimpaired,

and it will be happy for me if I am the first who shall become sensible of it.'

"Jefferson controlled the Democratic Party, and in his lifetime no Democrat would have thought of giving any President a third term. The question never arose at all as to Madison and Monroe, who were his followers. And would you believe that the question never arose once in all our history from the time when Jefferson quit the White House until 1880? So much for the great tradition.

"Jackson controlled the Democratic Party even more absolutely than had Jefferson. It merely registered his decrees. In his second term he determined that Martin Van Buren should be his successor, and the party obediently nominated him, just as it would have nominated Jackson himself if he had wanted it. But from his time to the time of Grant there was not a single President who served two terms.

"Therefore the question never arose, except in the case of Jefferson. He alone feared that a monarchy or a despotism of some kind might result from a third term, and he set that precedent. With the exception of Madison and Monroe, who were Jefferson's blind followers even in his mistakes, but who did not have to deal with the third-term

question because nobody proposed them for a third term, and Jackson, who disposed of the succession to suit himself, no President served more than one term until after the War of Secession.

“You see that there was no tradition or ‘unwritten law’ during the whole of the first nine decades of the Republic. The first attempt to create one was not made until 1875, when there was some talk of running Grant a third time. His adversaries in the House of Representatives sought to block him by passing a resolution declaring that the custom of giving a President only two terms ‘has become, by universal concurrence, a part of our republican system of government.’ But there was no universal concurrence about it, and the resolution was a political device to embarrass Grant.

“It was not necessary, because Grant was not after a third term. Four years later, however, after he had been out of the White House, there arose a great demand for his renomination, and in a short time he became the strongest candidate for the Republican nomination. Here is where, it is usually said, the people knocked the third-term idea in the head forever. But they didn’t do any such thing.

“The Republican Party was divided into factions, the faction that followed Grant being the strongest. It was called the Stalwart faction. It had more votes in the convention than any other, but it did not have a majority over all, and the Halfbreeds, as the other faction was called, finally combined with the friends of minor candidates and nominated Garfield. But the fight against Grant was not made on anti-third-term lines. There was an anti-third-term movement, which stood on Jefferson’s precedent, but it cut mighty little figure in the contest. The fight against Grant was made chiefly by two factions: First, the Blaine faction, which wanted no President who was under the influence of Conkling as Grant was; second, the reformers, who made their fight on the ground that there had been many scandals in Grant’s second Administration. On those issues he was defeated, not on the third-term issue.

“Cleveland was talked of for a third term in 1904, and made no effort to stop it. McKinley announced that he would not take a third term, but gave no reason. Roosevelt tried to get one. He was defeated, but it was no more a proof that the people are against a third term than was Grant’s defeat for purely political reasons at the hands of the Halfbreeds and the reformers.

Roosevelt was defeated only because the Republican Party was split and made two nominations; and the majority of the party went with him, so that Taft carried only two small States. So much for the anti-third-term tradition. It is mythology, nothing more; and if President Wilson, for instance, should seek a third term, the tradition will not be what defeats him, if he is defeated at all."

## CHAPTER XX

### THE DIRECT PRIMARY

“So you think it’s nothing against a man that he should want public office?” said Tom.

“That’s what I said,” replied the Politician.

“Then you don’t think the office ought to seek the man?” pursued Tom.

“Whether it ought to or not, it doesn’t,” said the Politician, “and therefore I object to the pretense that it does, because it is a sneaking humbug. However, we’ve seen about the last of it in politics. It lasted for more than a century, but the new primary laws have put an end to it.”

“How?” inquired Anna.

“By making candidates not only say they want it, but prove it by working hard to get it. In the old days a candidate would cover himself with Washington’s mantle and try to be as much like that statesman as he could. He would be coy, and the most you could tease him to say was that he was ‘in the hands of his friends.’ It was

thought somehow immoral for a man to say that he wanted the office and was working like a beaver to get it.

“But nowadays a candidate is mighty soon forced out of ‘the hands of his friends’ and forced to use both of his own, and use them as fists. Under the primary law a man who wants a nomination has got to have a petition filed, and in many States he has got to declare himself a candidate or he can’t get on the primary ballot; and if his name isn’t printed on the primary ballot it won’t be voted for in the primaries, and hence he can’t get the nomination. When a man has declared himself a candidate and has got up a petition for his nomination, there isn’t much room left for the imitation of Washington.

“But, whether he himself takes the management of getting signatures to his petition or not, he has to make a campaign for the nomination, just as he would for the election, and that brings him into the open. Under the direct primary system a primary is in all respects like an election, except that it is held for the nomination of candidates. The people themselves vote for the candidates whom they want nominated. So nowadays a primary is preceded by a campaign for the nomination, in which those individuals who

want it have to show why they should be nominated, just as candidates for an election have always had to show why they should be elected. They go on the stump before a primary just as they do before an election. There isn't any room left for humbug."

"But that only applies to State and city offices, doesn't it?" asked the College Woman. "It doesn't apply to the Presidency, does it?"

"So far as forcing a Presidential candidate into the open is concerned, it does," said the Politician. "In a great many States there are primaries for the Presidential nomination. The voters in each of those States go to the primaries and record their preferences on that subject, and the delegates to the convention are supposed to be bound by that expression of the voters' preference. As in other primaries, no names go on the printed ballot except by petition. So, you see, a Presidential candidate has either got to give up all hope of getting the votes of those States in the convention or else go after them at the primaries and try to get them, just as he would if he were a candidate for Governor.

"This state of things has been in force only at the last two elections. Not all the States have Presidential primaries, but enough have them to



make it necessary to drop all shenanigan and go after their votes in earnest. The movement to have the people vote at primaries for their Presidential preferences had gained such headway in 1912 that I remember it as a common saying when I went to the convention that year: 'Well, we are seeing our last convention. By 1916 the people will be nominating the Presidential candidates directly.'

"But they didn't and you don't hear that sort of talk any more. The States that had Presidential primaries still have them, but the movement hasn't spread. One reason is that to win a large number of States for any candidate calls for such a vast expenditure of money in a popular primary, even if only legitimate expenses are incurred, that no man has a chance who hasn't got wealth at his command, either directly or indirectly. Another is that in the last campaign it was discovered that a number of the voters regarded the primary as a joke and voted for comic candidates. This had such a disquieting effect that at the Republican convention there was a distinct disposition on the part of delegates to disregard the instructions at they had received, nominally from the people, the preference primaries; or at any rate, not to treat those instructions as if they were the laws

of the Medes and Persians. In other words, the slant now is away from direct nomination of Presidential candidates rather than toward it."

"So the direct primary has encouraged the use of money in electioneering?" inquired Tom.

"It has doubled the use of money. You have already heard how expensive an election campaign is, and how much money has to be spent, even if nothing dishonest is done. Well, the introduction of the direct primary for State offices has simply resulted in making two campaigns where only one existed before. That is, there was formerly only a campaign for the election. That campaign must still be fought, but there is now, in addition, a campaign for the nomination. The candidates used to have to go before the people and fight for election; they still do, but now they must also go before the people and fight for the nomination. There used to be campaign committees to engineer the candidacy of these nominees; there still are, but in addition there are unofficial campaign committees to engineer the campaign for their nomination.

"These campaigns cost money, and the campaign for a nomination may cost more than the campaign for an election. If it is a corruptly managed campaign, then money will be spent not

only in bribing voters in the election, but in bribing them in the primaries. It sometimes happens that the contest for the nomination is more bitterly fought than the one for the election, and in that case the campaign for the nomination will cost more. The direct primary system has not made it impossible for a man of moderate means to run for office, but it has made it impossible for him to run unless there is money back of him."

"Still, the Bosses can't manipulate the nominations under the direct primary system, can they?" asked Anna.

"Assuredly they can, if the voters let them. In this city, for instance, the designating committees of the parties name candidates for office, and they are put on the ballot. These candidates are the candidates of the Bosses, and when the voter goes to the primaries he finds their names there as the official candidates. Not only that, but the Bosses can deal with each other, and agree between themselves to swap designations."

"But I thought you said that the voters had it in their power to defeat bossism under the primary law."

"So they have, but they seldom exercise it. In the first place, most voters don't go to the pri-

maries; in the second place, those who do rarely bother to run an opposition ticket to the regular one put up by the designating committees. They take it out in staying away from the primaries and then cursing the Bosses. In the third place, when an opposition ticket is run it is frequently no better than the one put up by the Bosses; and the reason for that is that in such cases the voters themselves aren't any better than the Bosses. The Boss in all districts is a boss because he represents the average of the people he leads. When the average improves a little the bad Boss is fired and a better Boss replaces him, one who represents that better average."

"At any rate," said the College Woman, "the direct primary has given the people more scope and lessened the power of the Bosses, hasn't it?"

"It has given the people more scope, but it has only potentially lessened the power of the Bosses. The people now have it in their power, as they never had before, to make their own nominations, and they can't plead that it is no use for them to take an active part in politics, or that the cards are stacked against them beforehand. Still, the brutal fact confronts us that they won't use the power that has been thus given them; and since they won't use it, the practical effect

of the direct primary system has actually been to increase the power of the Bosses."

"Increase it!" exclaimed the College Woman. "I can understand how it could leave their power where it was before, but not how it could increase it."

"Very simply. By abolishing the conventions and leaving all the practical power of nomination in the hands of the designating committees, who, wherever there is a Boss, are the instruments of the Boss."

"I thought the conventions used to be run by the Bosses," protested the College Woman.

"Not so absolutely as the designating committees. A convention always had it in its power to override the Bosses, and very often did it. Besides, there were limits to the Boss's power, even in a boss-ruled convention. He couldn't do absolutely as he liked, because there were other leaders there, and he had to consult with them. He was seldom so absolute as to be able to defy them. And this was not only true of State conventions, but of city and county conventions, and even of smaller ones. Even in a Congressional convention—a convention held to nominate a Congress candidate—the Boss of that Congress district had to reckon with the leader of each ward.

And you must never forget that each of these leaders really represented the wishes of the people back of him, his home people, whether they were the people of a city or the people of a ward.

“Now, however, the Boss designates his candidates and they are put on the primary ballot. The voter has the opportunity of overthrowing those candidates, which he did not have under the old convention system; but as he won't go to the primaries, the net result is that the Boss's dictatorship is made more absolute. All the old hindrances of the convention system are brushed aside.

“And these hindrances were real ones. A convention was supposed to be a roughly representative gathering of the people. Boss rule made that supposition a subject for irony; but it was actually more representative of the people than the primaries sometimes are. You may say that a bossism which was mitigated only by the power of sub-bosses could not possibly represent the people in any sense, but it could. It could, because the sub-bosses did not exercise their restraining influence on the Boss solely for their own desires. They had to take the people into account.

“For instance, suppose the State Boss to be determined to force an unfit nomination for Gover-

nor. The sub-bosses of, we will say, Monroe County and Westchester County go to him and protest. Is it because they are idealists in politics, reformers; is it because their consciences are shocked by this proposal? No; but they say: 'We know that if you make this unfit nomination there will be a revolt, and we can't carry Monroe and Westchester in November. That means that our whole county ticket will go down to defeat with the candidate for Governor, and we shall lose all the county offices. Therefore, we insist that you do not make this dangerous nomination, but that instead you shall nominate a fit and proper man, who incidentally will enable us to carry our local ticket to victory.' And the Boss has to yield and throw aside his unfit candidate."

"Can't they go to him and deliver the same warning now, under the primary system?" objected the College Woman.

"Ah, but under the convention system they could enforce it right there on the spot by defeating his candidate in the convention," returned the Politician, "and that would have meant the end of his rule as Boss."

"You surely don't mean that the convention was ideally representative of the people?" said the Lawyer.

“Oh, no, I don’t mean that it or anything else ever was or will be,” replied the Politician. “I mean only that it was roughly representative. We forget that the convention itself, in its origin, was a reform, a reform in the direction of giving the people a larger share in making nominations. Before conventions originated, nominations were made by party caucuses. A caucus was a secret meeting of the Congressmen of a party, if it were a national nomination, or of the legislators, if it were a State one. These politicians picked out the candidate, and the people had nothing to say about it.

“The system was partly representative, since these Congressmen and legislators were elected by the people, but it was far from being fully representative. The people derided it and called it ‘King Caucus.’ So the convention system was devised, whereby the people in each party directly elect delegates who meet in a convention and nominate candidates.

“Now, in an effort to extend popular control of nominations, we have abolished the convention—except in national matters—and given the people the power to make nominations directly. The people won’t do it. So what is the result? Why, that the nominations are made by designating



committees. And what kind of system is that? Why, it is the caucus system over again under another name. We have come back to King Caucus; the wheel has gone round again, and we are back where we were in 1824. The only difference is that King Caucus was more representative of the people, for the Congressmen and legislators in the caucus were elected, while the designating committees are appointed by the organization—that is, by the Boss.”

“But we still have conventions to nominate candidates for President,” said Anna. “How do they do it?”

## CHAPTER XXI

### OUR GREATEST SHOW, THE NATIONAL CONVENTION

"A NATIONAL Convention," said the Correspondent, "is the drama of democracy, and it is America's greatest show on earth.

"George William Curtis said that every American citizen should see at least one National Convention. Every convention, even the dullest, where everything is cut and dried, is a moving and thrilling spectacle. But the ones where there is a real battle, they are a thing to stir the imagination. In the moments of great tension that mass of people has always appeared to me as a single monstrous body, a single vast entity, a huge swarthy giant laboring colossally for some end. There are moments, when the battle has gone on for hours and the heat and roar and confusion have worked their way with tired eyes and brains, and the thousands of electric lights seem to waver in a mass, and the roar to become one voice, when the impression becomes strong for a moment that you

are actually seeing that single huge body twisting this way and that as if trying to break its bonds.

“Think of a city block with the roofs taken off and all the walls taken out, except those surrounding the block, and packed with people so closely that many times they cannot make their way to each other except by climbing tables or walking on rails. Not a quiet mass, but an intensely excited multitude, with a constant motion of its own, a sort of rhythm; yelling its wrath or its insane joy in 15,000 voices, and doing the maddest things. This is democracy maniacally working in its blacksmith shop forging its future, a future of four years anyhow, and doing it in a delirium.”

“You don’t really mean that they take the walls and roofs off a city block—” began Jane, who is literal.

“No,” said the Correspondent; “I was only trying to give an idea of the size of the thing. However, I can’t. You can’t get it without being there. When you stand on the platform and look down the hall, the faces and bodies at the other end melt into a mass, and you don’t see them. That’s partly what gives the impression, not of many people, but of one vast monster; that and the fact that you don’t hear the thousands of

voices, but only one continuous voice, rising and falling in a regular rhythm."

"Continuous!" exclaimed Anna. "Do you mean that the noise goes on all the time? Then how can anybody hear the speeches?"

"Most of those at the convention never do hear them," said the Correspondent. "Even the delegates don't hear all the speeches, and the spectators never do. I ought to tell you, though, that there has been one exception to this description I have been giving you, and that was the Democratic Convention in St. Louis in 1916. The St. Louis folks have built a hall for the specific purpose of overcoming all these difficulties, and have done it; and in overcoming it they have killed that gigantic, unwieldy picturesqueness that I have been describing. They have done it by centring the hall around the platform, with aisles radiating from it like the spokes of a wheel, so that nearly everybody can hear everything."

"And see it, too, and that's an innovation," added the ex-Congressman. "Heretofore you haven't been able to see much more than you could hear."

"That was because of the immensity of the thing," explained the Correspondent, seeing that some of his auditors looked puzzled. "The

speaker on the platform was so far away that he looked like a little manikin; and of course, if he got into an altercation with somebody, you couldn't see what it was about, you could only see that little manikin jumping about absurdly in the distance.

"At the Baltimore Convention of 1912 some of the delegates came up to me and said they would never know a thing about what was going on if it wasn't for the papers. 'You fellows,' said one of the delegates, 'explain all these riots to us next morning. But we sit down there and hear a lot of yelling, and we never know until next day, when we read what you've written, that the Missouri delegation has just mobbed Bryan.'"

"That's all very interesting," said Anna, "but it doesn't answer my question, I'm afraid. I wanted to know how the convention nominated the candidates for President and Vice-President."

"Well," said the Correspondent, "it first organizes; it effects a temporary organization, because it can't have a permanent one until it has passed on the credentials of the persons claiming to be delegates and made sure that they are what they claim to be. The Temporary Chairman makes what is called the 'keynote speech'—that is, in nominally returning thanks to the convention

for electing him, he defines the issues as they will be presented by his party during the campaign that is to follow. This speech is so important that the candidate for President usually corrects the proofs of it before it is made.

“The convention then organizes permanently. Formerly it used to waste time by hearing another speech, a sort of secondary keynote speech, from the Permanent Chairman. The Democrats still do that, though even with them the speech of the Permanent Chairman has lost its importance; but the Republicans have adopted the admirable fashion of simply making the temporary officers the permanent officers, so that the Chairman makes only one speech.

“The Resolutions Committee reports the platform it has drafted, which may be amended by resolutions offered from the floor. When the time comes to consider candidates for President, the roll of States is called, alphabetically, and each State is expected, if it has a candidate, to name him. The State does that by sending one of her delegates to the front to speak for her. But in actual practice this would always give Alabama, the first State on the roll call, the naming of the first candidate, whereas the leading candidate might come from Wyoming, the last State on the

roll, and in that case the leading candidate would be the last one put in nomination.

“So, when Alabama’s name is called, she usually announces that she yields the floor to New York, or Illinois, or whatever other State has a candidate that the Alabama delegation favors. Then the State so placed in control of the floor sends to the platform its chosen orator, who makes a speech placing in nomination her favorite son. Maybe Alabama has no friendly alliance with this other State, and simply signifies that she has no candidate; but in that case Arizona or Arkansas is pretty sure to do the ‘yielding.’

“In the Republican Convention of 1916 the unusual spectacle was presented of one State yielding to another, who nominated not one candidate but two. The yielding was done by Arizona, who yielded to New York. New York happened to be split between two favorite sons, Justice Hughes and Elihu Root; so she sent up two speakers to the platform, one of whom nominated Hughes and the other Root.

“Then the roll call is resumed, and some other State yields to another, while some are high enough on the roll to be able to name their favorite sons without having anybody yield to them. Seconding speeches are made, of which the convention is

generally very impatient and toward which it is always very boorish. They ought to be cut out. Finally the vote is taken by States; and if no candidate has a majority another ballot is taken. Then the convention usually adjourns, and meets next day to nominate the candidate for Vice-President, which is usually done by an indifferent crowd of delegates that melts away while the voting is going on, to make sure that it can get train reservations or to catch trains already reserved."

"You have been talking of 'favorite sons,'" said the Business Woman. "I have seen that expression used in a derogatory sense, and I'm not quite sure what it means. Why should it be laughed at, and what does it signify?"

"And what is a dark horse?" added Anna.

"I'll tell you about dark horses in a moment," said the Correspondent. "The reason why the favorite son is jeered at nowadays is because he has become a device in the hands of schemers, a stool-pigeon, a stalking horse. It was once a high-sounding title, now it is hardly ever used except in sarcasm, and the favorite son deserves his fall. The favorite son has become a humbug, and the direct primary has performed a service in stripping the last rags of pretense from the humbug.

"To say that a man was the favorite son of this



or that State was once an expression used in earnest. If you said that Blaine was Maine's favorite son, you meant that the State was proud of him, and that whether other States agreed with her or not she would stand by him to the last. It meant that he was a national figure as well as the pride of his State. Gradually, however, the word came to be applied as meaning that the favorite son had no State but his own back of him. If a man was big enough for the whole country you no longer heard him spoken of as the favorite son of any State. It would be belittling to Wilson to call him the favorite son of New Jersey, or to Roosevelt to call him the favorite son of New York. They are national men.

"And the favorite son came to mean something even less worthy of respect than this. He came to mean not merely a man with no State but his own back of him, but a man who was being put forward by that State in the hope of slipping him into a nomination for which he wasn't big enough. For instance, when the last Republican nomination was about to be made infinitesimal candidates sprang up all over the Union. At one time there were fifteen or twenty favorite sons announced, more or less seriously, as candidates for that nomination. They were put forward in

the hope that the men back of them could make some dicker or deal in case the convention was deadlocked.

“In ordinary times not one of them would have dared to show his head. It so happened, however, that for the first time in many years there appeared to be no commanding figure toward whom the nomination was inevitably tending. It was anybody’s race. The bulk of sentiment certainly favored Justice Hughes, but until the convention actually met the local leaders were ignorant of the strength of the movement for him, and the result was that for a long time little two-by-four candidates were declaring themselves to be fit for the Presidency and expectant of receiving it. How far this went you can gather from the fact that Mayor Thompson of Chicago actually made a bid for the favorite-sonship of Illinois.

“The delegation from a candidate’s own State is charged with the management of his candidacy; it speaks for him. It presents him as its favorite son. There have been a few exceptions to this, as in 1888, when Walter Q. Gresham of Indiana was a candidate for the Republican nomination. The Indiana organization, however, had declared Benjamin Harrison to be the favorite son of Indiana. So Illinois, which was for Gresham, put him

forward as her 'adopted favorite son.' In 1892, again, Cleveland was nominated in spite of the fact that his own State, New York, was against him in the convention. It had declared its favorite son to be David B. Hill. But such instances are very rare, and as a general rule it is conceded that a candidate must have his own State behind him if he is to have any standing at all in the convention."

"Is there any reason for that except tradition?" asked the College Woman.

"Oh, there is a very practical reason for it. The convention doesn't want to nominate a candidate who can't carry his own State; it can't afford to waste those votes. And it assumes that the delegates from that State must know better than any one else whether he can carry it or not. It is assumed, too, that since they represent the sentiment of the party in a general way, if they don't like him, then the rank and file of the party probably doesn't like him either. And if the rank and file doesn't like him he stands a mighty slim chance of carrying his State in November.

"In the last case I spoke of, that of Cleveland, the Democratic delegation from New York, on the day before the convention met, issued a formal statement solemnly declaring 'that, in our best

judgment, Mr. Cleveland's nomination would imperil the success of the party and would expose it to the loss of the electoral vote of the State.' It not only voted solidly against Cleveland, but worked day and night to get other delegates to do so. He was the furthest remove possible from a favorite son. On one occasion a Michigan delegate carried a Cleveland banner too near to the New York delegation, and the New Yorkers so resented it that there came near being a fist fight between them and the whole delegation from Michigan.

"And yet, in the face of his State's protest, Cleveland was nominated on the first ballot by 616 votes, while Hill, his nearest competitor, got only 112. This defiance of a State, and of the one State which was absolutely necessary to Democratic victory because of its large electoral vote and its doubtfulness, seems extraordinary. However, it was not really a defiance of New York. The delegation had been committed to Hill by the power of the machine, and the delegates from other States were convinced that it did not represent New York, and that they were in no danger whatever of losing her electoral vote. They were correct in their judgment, for Cleveland swept the country in November."

"In speaking just now of the fallen status of the favorite son," said the Lawyer, "you said that the direct primary had stripped the last rag of pretense from the humbug. I don't think you've made it clear to the ladies—or to me either—how that was done."

"Why," said the Correspondent, "the humbug about the favorite son is the pretense that he is of Presidential size at all. Under the old system a State could put forward a nonentity or a stuffed prophet and make all sorts of large claims for him. But now, in all the States besides his own where there are Presidential preference primaries, he has got to run for the nomination; he has got to show himself in the pitiless glare of publicity; and he instantly shrinks. The results of the primaries in those other States are against him; they show clearly that he is not a Presidential figure at all outside his own State, and the attempt to make him appear a national figure collapses with every defeat. Formerly you could always pretend that the people of Wisconsin and Indiana were looking with admiring eyes on the favorite son of Massachusetts, and nobody could prove that they weren't; but now you can prove it by arithmetic, by simply looking at the votes cast for or against him in the primaries. So he shrivels up, and,

from being touted as a national figure, he has become merely a petty local figure, who hasn't the ghost of a claim on a national nomination.

“Now I'll answer your question about dark horses.”

## CHAPTER XXII

### GROOMING THE DARK HORSE

"DID you ever read a mediæval story," said the Correspondent, "in which an unknown Black Knight entered the tournament at the last moment, kept his vizor down, discomfited all the famous champions, and won the fair hand of Count Hugo's daughter?"

Jane believed she had. The others seemed doubtful.

"Well, there was a variant of that story that was popular when fiction about racing was in fashion. The sporting hero, at the end of a run of hard luck, and just as the mortgage was about to be foreclosed on his ancestral home, was saved by the mysterious stranger who counselled him to stake his all on an unknown dark horse that had just been entered for the Goodwood Stakes. Or maybe it was the unfortunate heroine, about to be married to the wicked Lord Ponsonby to save

her father from a debtor's prison, who was delivered from that fate by this dark horse, which appeared from nobody knew where and ran off with the stakes, beating all the favorites.

"Well, that's where the Dark Horse in politics originated. Like the one in the story, he pops up from nowhere and beats all the favorites.

"When the convention meets there are several candidates, each with a strong backing. The balloting begins, and it turns out that no candidate has a majority over all. If it is a Democratic convention he must have not merely a majority over all, but a vote amounting to two-thirds of the total. The balloting goes on without result; there is a deadlock, and no way out of it, apparently. None of the candidates, or rather of their managers and followers, will yield; and finally the deadlock is broken by the nomination of somebody who had never been put forward at all, or if put forward, had never been seriously considered for the nomination. The Black Knight gallops off with Count Hugo's daughter; the Dark Horse wins the race."

"If it takes two-thirds to make a nomination in a Democratic convention, and only a majority in a Republican convention, I should think the Democrats would have to fall back on the Dark



Horse pretty often," observed the Business Woman.

"On the contrary," put in the ex-Congressman, "the Dark Horse is not much more frequent in Democratic conventions than in Republican ones. I admit the thing ought to work out as you say, but the reason why it doesn't is simple, and it is usually easier to reach a nomination in a Democratic convention, in spite of its two-thirds rule, than in a Republican one.

"The reason is that along with the two-thirds rule there generally goes the unit rule. That is a rule requiring that the delegation from each State shall vote as a unit. The result of that is that it is easier to pile up a big vote for one candidate than it is in the Republican convention, where everybody can vote as he chooses."

"It seems undemocratic, though," said the College Woman. "How many votes does a State like New York have?"

"Each State has twice as many votes as it has votes in the Electoral College," answered the ex-Congressman. "New York has forty-five votes in the Electoral College, so it has ninety votes in the convention."

"Then," went on the College Woman, "if forty-six members of the New York delegation favor one

man and forty-four favor another the votes of the forty-four have to be cast as the forty-six may dictate?"

"Yes. And that isn't the whole of it," said the ex-Congressman. "If those forty-six are under the domination of a Boss and the forty-four are not, the Boss casts the vote of the forty-four as well as of the forty-six. So we have seen at convention after convention the contradictory spectacle of a large part of the New York delegation, sometimes nearly half of it, working tooth and nail for one candidate while their votes were cast for another. The Republicans used to have the unit rule, too, but they broke away from the custom years ago.

"It isn't always the convention that imposes the rule, though; the States themselves usually do it. The thing seems very inequitable, but as long as the two-thirds rule is maintained the unit rule will have to be, except in cases where there is no real contest; and it doesn't work out so inequitably as you would think. I can't recall any case where either the unit rule or the two-thirds rule has ever prevented the nomination of any man who was the choice of a majority of the individual delegates. Besides, it is logical; as long as the States and not the people elect the President, the States and not

the individual delegates should do the nominating, that is the argument."

"But where do they get their Dark Horse from?" asked the Business Woman. "Do they just fall back, in sheer weariness, on any Tom, Dick, or Harry? Isn't there any principle in the selection? Do they just pick up any name that anybody happens to mention?"

"No, the Dark Horse is usually very carefully groomed," said the Correspondent. "They keep him in the stable until the others have been around the track two or three times before they send him out, but he's there all the time, with his trainer carefully watching the race for the moment when it will be safe to take his blanket off and start him. Generally he never gets out of the stable; the race is won by the favorite, and he never gets a chance. But once in a while the race is so long-drawn-out that the Dark Horse can be sent out to make it with success.

"I can make it plain, I think, by the classic case of the Dark Horse, which is that of Garfield. In the Republican Convention of 1880 it was necessary for the candidate to have 378 votes in order to be nominated. Grant was the highest candidate; his vote never fell below 304 and never rose above 313, and its average was 306. Blaine

was next, with 284 votes on the first ballot, and there were four other candidates. One of them, however, had only ten votes; he was being groomed as a Dark Horse, and these ten votes were cast for him steadily so as to keep the convention reminded of his name, in the event of a break in the deadlock. This was William Windom of Minnesota.

“On the second ballot, however, a delegate voted for Garfield, who had not been placed in nomination and was not a candidate; who was, indeed, the leader of the Ohio delegation, which had John Sherman as its favorite son. After that on nearly every ballot one lone vote continued to be cast for Garfield. Sometimes two votes would be cast for him, and on the next ballot the vote would drop to one. So, steadily, for thirty-three ballots, that steady hammering of Garfield’s name kept it before the convention, as did the steady casting of the ten votes for Windom.

“Long before the first thirty-three ballots had been cast it was evident that there could be no outcome to the deadlock but the nomination of a new man. All the regular candidates were still sticking at about the same place where they had begun, Grant with 309, Blaine with 276, and so on; there was in each case the variation of only a handful of votes. That sort of thing might

go on forever, and the convention was now in its second week. The break must come. Would it bring out Windom or Garfield?

"The Wisconsin delegation had a caucus and voted to swing to Garfield. It swung to him accordingly, and started a stampede which nominated him on the thirty-sixth ballot. On the thirty-fourth ballot Garfield got seventeen votes, on the thirty-fifth he got fifty, and on the thirty-sixth he got 399.

"Now for the proof of what I said about how the Dark Horse is really groomed from the beginning. There had from the first been certain political leaders favorable to the nomination of Garfield. One of them was Benjamin Harrison of Indiana, afterward President, and another was Henry C. Payne of Wisconsin, afterward Postmaster-General. It had been agreed that neither of these important States should be swung to Garfield until the moment when the deadlock had wearied everybody and its vote would create a sensation.

"But it was necessary to have a steady reminder of Garfield's name on every ballot, otherwise the convention would swing to Windom. So Wharton Barker of Pennsylvania arranged with two delegates named Geer and Taylor to do that steady hammering. Geer was to vote for Garfield on

every ballot; Taylor was to chime in now and then, and then vote for some one else on the next ballot. That is why the vote for Garfield was sometimes one, sometimes two. Once in a while both of them missed out; probably they were out at lunch, or something.

“It was arranged, also, that Indiana should swing to Garfield first, and that Wisconsin should not join her until the next ballot. Why? When I give you the reason, you will see how carefully a Dark Horse is groomed, and realize the truth of what I said about how his blanket is not taken off until the exact moment when he should enter the race. It was because Indiana begins with I and Wisconsin begins with W.

“On the alphabetical roll Wisconsin comes at the end. It is the last important State. The idea was this: Indiana was to swing on the thirty-fourth ballot, and that would startle the convention and set everybody on the *qui vive* for a crash. The ballot would pass and the crash would not come; but on the next ballot, when excitement had increased to the point of frenzy, Wisconsin would suddenly end it by hurling its delegation after Indiana's. It so happened that, as the thirty-fifth ballot progressed, delegates here and there began to add their votes to Indiana's, but no whole

State delegation did. The addition of vote after vote to Garfield, however, increased the psychological effect and the excitement, and when, at the very end of the roll call, Payne suddenly threw Wisconsin to Garfield, nothing could stop the stampede. On the next and last ballot all the candidates except Grant were deserted, and their followers rushed for the Garfield band-wagon. Grant's indomitable stalwarts stood out to the end and cast their unchangeable 306 votes in Garfield's teeth at the last. /

"I have told the story just to show the rise and progress of the Dark Horse in its most classic case. Garfield was the perfect Dark Horse. Other Dark Horses have entered the convention with at least a State delegation behind them. They have been at least favorite sons, but Garfield was not even a minor candidate. Instead, he was the manager of another candidacy, that of Sherman; he was the steersman of the Sherman boom, and had made the speech placing Sherman in nomination. He was accused of treachery, but I think that the worst that could be said of him was that he knew the plans of Harrison and Payne. But they had no intention of swinging their votes to him until it became obviously impossible to nominate any of the regular candidates.

“There is no other perfect example of the Dark Horse in Republican history. Hayes in 1876 was a Dark Horse, but not a perfect example, for he had as many as sixty-one votes on the first ballot. He was, however, distinctly a minor candidate, overshadowed by the battle between such giants as Blaine, Morton, and Conkling, and no one imagined that he would be the candidate when the convention met, or until it was deadlocked.

“A perfect example of the Dark Horse on the Democratic side is the nomination of Horatio Seymour by the Democrats in 1868. That was a nomination that was entirely without any previous grooming of the Dark Horse, at least to his own knowledge; for Seymour was in poor health and did not want the nomination. He was the chairman of the convention, and the opponents of Chief Justice Chase seized upon him in desperation to beat Chase. Seymour himself was one of the engineers of the Chase boom. The plan was, after the convention had been deadlocked for a while, for him to retire from the chair and start the Chase stampede; but Samuel J. Tilden, the anti-Chase leader, had his plans laid for this very moment, and as soon as Seymour was out of the chair the delegations began yelling for him. He



tried to stop it, crying out, 'Your candidate I cannot be'; but Tilden had his men well in hand, and their candidate he was 'before he and the rest of the dumbfounded Chase men knew what had happened to them.

"That clever trick of Tilden's had a terrible come-back for him. It lost him the Presidency. Eight years later he was the Democratic candidate himself; the election was disputed, the question was up to Congress, and one electoral vote would change it. Many of the Republicans in the Senate believed that the State of Louisiana, which had been credited to Hayes, rightly belonged to Tilden. One of them was Roscoe Conkling. It was found that there were enough such Republicans, added to the Democrats, to give the electoral vote of that State to Tilden, when the question came up for decision, and Conkling was to lead them. Nothing but his great prestige as a Republican leader would induce the lesser men to break loose from their own party on such an issue. When the day came Conkling was not there, and the lesser Republicans did not dare break away. No fight was raised by them over the Louisiana vote, and after a compromise had been arranged Hayes was seated in the Presidential chair.

“Why did Conkling turn the Presidency over to Hayes? He was under the influence of Kate Chase Sprague, the daughter of Chief Justice Chase; and according to Colonel A. K. McClure, she avenged her father by inducing Conkling to stand by his party. She deprived Tilden of the Presidency as he had deprived Chase.

“Polk was a Dark Horse, who never received a vote in the convention that nominated him in 1844 until the eighth ballot, and was nominated on the ninth. Pierce, in 1852, was a Dark Horse; he did not receive a vote until the thirty-fifth ballot, and was not nominated until the forty-ninth. Unlike other Dark Horses, the convention did not stampede to him as soon as he was sprung on it; he stuck around thirty votes on each ballot for thirteen ballots, and the convention was finally stampeded for him rather reluctantly. He had no managers for his boom——”

“That’s another thing,” cut in the Business Woman. “How is a boom managed? And who gets it up? Could I get up a boom for somebody if I wanted to, or is it worked up in some secret and mysterious fashion?”

## CHAPTER XXIII

### THE ART OF BOOMING A CANDIDATE

"ANYBODY can get up a boom for anybody," said the ex-Congressman.

"And sometimes it seems to me that everybody does," murmured the Politician.

"That's a thing any woman can try her hand at," added the Correspondent, looking at the Politician a little mischievously. "It doesn't require any knowledge of the mysteries of politics. Go ahead, and make as much trouble for the politicians as you like."

"You are giving the ladies bad advice," growled the Politician. "It is true that anybody can get up a boom, but to get up a successful one is a different thing. There is more lost motion in getting up futile booms that have no function except to get in the way of people who mean business and tangle them up for a while than in anything else I know of. And in the long run it

means disappointment and heartache for the people who get them up."

"There is not much danger of that for me yet," remarked Anna brightly, "for in spite of your assurance that anybody can do it, I wouldn't have the least idea how to go about it."

"Why, it's the way you do everything in politics," said the ex-Congressman; "it's simply the old story of organization. And, as you heard awhile ago, all there is to organization is getting your neighbors interested enough to get their neighbors interested. You start a boom for a candidate in the same way that you start a movement to compel the city administration to clean the streets, or start a movement to get the Legislature to relieve the condition of factory workers. First you form an organization, and then your organization stirs up public sentiment. And public sentiment is first of all the sentiment of the folks in the next house, then of the folks in the next street, then of the folks in the next district, and then of the folks in the whole city."

"Then why," said Anna, accusingly, to the Politician, "do you talk about lost motion? Hasn't one boom as good a chance as another?"

"A business man can't sell an unsalable product merely by talking about it," returned the Poli-

tician, "and neither can you get up public sentiment for an unboomable boom. There is no use in starting a boom for somebody merely because you like him. And yet politicians are always doing it and burning their fingers.

"There is never a national convention without some freak candidate who takes himself seriously because he has succeeded in getting a little publicity. His friends have assured him that he is really a candidate. You see him around the hotel lobbies in the convention city, talking in the strain of a man with a chance, until the balloting begins, and then he disappears, sadder and sometimes wiser. He is a pathetic figure.

"What is worse, if he has money his vanity induces him to spend it. I remember a well-known man with an excellent record opening expensive headquarters in a convention city and spending money like water—legitimately, for no one charged him with anything off-color. He hadn't been there an hour before every grafter in town discovered that he could stuff his pockets with 25 cent cigars and drink champagne by simply walking into the high-priced suite this man had taken at the best hotel in town; and the grafter could repeat five minutes later and bring his friends.

“This unfortunate man seemed to believe that cigars, wine, and the best suite in the hotel could get him the Vice-Presidency—that was the office he was after. He had a retinue of salaried retainers as long as the tail of a kite. He did not wake up until the balloting, when he got only a handful of votes. It was one of the most expensive campaigns I ever saw, and probably cost him more than it cost the managers of the two men who were nominated for President and Vice-President. He had, you see, an unboomable boom, and his true friends, if he had any, were those who may have advised him from the beginning never to try for the place.”

“You say anybody can start a boom,” said Anna. “Is it really as simple as that?”

“It is,” said the Correspondent, “although I agree with my learned friend that the boom won’t go unless it has something in it. I can give you two illustrations. The most sensational Mayoralty campaign in the history of New York was that in 1886, in which Henry George was nominated by the labor men. They had no party, no organization, but they frightened the two Democratic parties, Tammany and the County Democracy, into combining; George ran like a race-horse, and most people believe that he was elected.

“That was before the days of the secret ballot. The labor men had no election officers, no guard against fraud, and the three old parties were combined to prevent George’s election by fair means or foul. It was also in the days of unrestricted corruption at elections, so that even when a party had a full equipment of watchers and canvassers it had to watch like an eagle to keep the other crowd from stealing its votes. On the returns, after fraud had unrestricted temptation and opportunity, George was defeated by only 23,000; and to suppose that, with no limitation on their activities but their conscience and their recollections of early Sunday-school training, the combined heelers and gangmen of all the three parties would stop at stealing a little matter of 23,000 votes is to suppose impossibilities.

“It was plain to everybody that year that the labor men were going to make a great run and get a great vote, if they made no mistake in their candidate. But they had no adequate candidate in sight for the nomination. It looked as if the nomination would go by default to a rich man named Coogan, who was willing to spend money to get a reputation in politics, and that nomination would have so disheartened the friends of labor

that Tammany and the County Democracy would have had plain sailing.

“A handful of newspaper reporters who were friendly to the labor movement talked it over one day and determined to do what they could to save the situation for labor. One of them proposed Henry George, who had not even been thought of. The reporters went to such labor leaders as they knew and suggested George’s name. It was received with surprise, but with no objection. Then each of the reporters printed in his paper a short item saying that George’s name was under consideration by the labor leaders; which was technically true, since the name had been suggested and not rejected.

“The next day the labor leaders were being besieged on all sides for statements on the question of George’s nomination. The publication of the statements added fuel to the fire, and George’s boom was fairly started. It swept the ranks of labor, it ended the ignoble candidacy of the rich adventurer, it made George the nominee, and before it was through it had, in my belief, elected him to the Mayoralty, though he never became Mayor. That was a boom started in the simplest possible way, and the beginning and end of its success was publicity. But, you see,



there had to be something in it. It wouldn't have done any good to start a boom in that way for Coogan; it would have fallen flat. His way of starting his boom was through the use of money; and, whatever you may be told to the contrary by cheap cynics, money has no chance in politics against an aroused public sentiment.

"The other case I have in mind, illustrating the simplicity of boom-starting, was a time when a single-handed newspaper man, not a politician, came near naming a Vice-President. It was in 1908, when President Roosevelt forced the Republican Party to accept Taft as his successor. The leaders, or the Bosses, if you like better, had to yield on the Presidency, but they determined to have their own way with the Vice-Presidency, and to solace themselves by nominating one of their own inner circle. So they picked James S. Sherman, one of the rulers of the House machine.

"President Roosevelt, who was afraid that it would hurt the ticket in the West if a machine leader like Sherman was nominated, wanted Senator Dolliver of Iowa. The Iowa delegation, however, united against Dolliver, and, as you have already learned, it is an almost invariable rule that if a man's own State is against him he can't have the nomination. A certain newspaper cor-

respondent, hailing from Iowa and strongly progressive in politics, had the foresight to see that sooner or later this Iowa opposition would put Dolliver out. He began furiously booming Dolliver in his paper so as to keep him in the race, while at the same time he prepared a candidate against the time, he foresaw, when Dolliver would have to get out.

“His paper was one of influence, and despite the opposition of Iowa it powerfully aided the President in keeping Dolliver a candidate. Meantime, with every article booming Dolliver he coupled a paragraph about Senator Beveridge of Indiana. He intended, you see, to have Beveridge in reserve in case Dolliver was forced to the wall. This was kept up day after day in an unobtrusive manner, and gradually the other papers began to take it up, and delegates began to talk about it. I never saw a man so thoroughly astonished as Beveridge was when he arrived in Chicago and found himself the sudden possessor of a Vice-Presidential boom.

“The Iowa delegation finally forced Dolliver to take himself out of the race. It was on the very eve of nomination; the President had been hammering away so long for Dolliver that now he found himself without a candidate. What

should he do? There was no time to start a boom for a new candidate. There, ready to his hand, was the Beveridge boom, made out of nothing by this little Iowa newspaper correspondent. There was not a single delegate for Beveridge, but everybody who had been for Dolliver would turn naturally now to Beveridge, because of this artful and unobtrusive booming. The President telephoned to Frank Hitchcock, who was managing the Taft boom at Chicago, to swing the Administration men to Beveridge; but Hitchcock, who did not want Beveridge nominated, carried out his instructions in such a way as to block the Beveridge boom at the last moment, and Sherman was nominated. But it was no fault of the correspondent, who had laid his plans with great foresight and carried them out consummately.

“You can see from both these stories that publicity is the essence of booming. Nominations can't be made without it, except in cases where the inner circle has such absolute control that it does not need to bother with the delegates or the voters, where the Boss simply cracks his whip at the last moment and the delegates or the voters ratify his choice, even if they never heard of the candidate. That never happens in national or State organizations, and never in city organiza-

tions except in the case of such institutions as Tammany Hall, where last year the Tammany voters obediently ratified the selection of Judge Hylan without knowing who he was, and where in 1897 the fact that Van Wyck was to be the candidate was not known to the delegates until the day the convention assembled. No man ever really has a boom in Tammany Hall.

“Publicity, of course, is not only unnecessary but actually a hindrance in such cases. But I am speaking not of Tammany or of the Republican machine in Philadelphia, which are exceptions, but of the ordinary course of politics. Of course, if a boom gets under way and seems to be taking hold, there are a thousand and one things to do: you have to hire headquarters, send out agents to find out public sentiment in other localities, try to win over distant leaders, and so on. But for starting a boom publicity is mother’s milk.”

“And do you get things you want into the party platform in the same way—by organization?” asked Anna.

“Certainly,” said the Politician. “It’s the way you do everything. Organization; that’s the beginning and end of everything in politics.

But to get things into a platform you don't need much organization. I have no doubt that you ladies in this room tonight could form yourselves into an organization that could appear before the Resolutions Committee of a national convention with some pet plank of yours and have just as much chance of success as an organization with a thousand members. In fact, I've seen such things done."

"I hate to seem ignorant," said Jane, "but I've got only the haziest sort of an idea what a platform is."

"A platform," answered the Politician, "is the party's declaration of principles. It is supposed to set forth the issues on which the campaign is to be fought, but I'll tell you confidentially that it doesn't do any such thing. The issues which people really talk about are very few, while the platforms are very long. The platform makers want to put in everything that any organization wants them to, and they generally do, but those planks are never heard of again.

"For instance, the Democratic platform in 1916 had a plank favoring prison reform, another favoring additional levee protection on the Mississippi; the Republican platform contained planks favoring the extension of rural free delivery and a

treaty with Russia covering the right of expatriation. Does anybody suppose for a moment that any one of these admirable things was really an issue in that campaign between Wilson and Hughes?

“The first party platform was adopted by the Democrats in 1840, and for years after that the platforms were short statements of general principles. Nowadays they are encumbered with everything on earth that can catch a vote, and only one or two of the leading planks ever figure in the campaign at all. The real platform now is the Presidential candidate’s letter or speech of acceptance.

“That has been an evolution. At first the Presidential candidate confined himself merely to acknowledging the receipt of the information that he had been nominated. But as the character of the Presidency itself has changed, making the President responsible for the policies of legislation, it has become of more and more importance to find out what the candidate intends to do, and of less and less importance to find out what the party says it intends to do. The Presidential office that is held today by Woodrow Wilson is a vastly different office from that which was held in 1860 by James Buchanan.”

“When you say that the President is responsible for the policies of legislation,” said Tom, “do you mean that he is arrogating to himself the powers of Congress?”

## CHAPTER XXIV

### THE PRESIDENT'S PART IN LEGISLATION

"THE President in our time," said the ex-Congressman, "is responsible for legislation as he never was in former times. And, being responsible for it, he initiates it and undertakes to direct it, as never in former times."

"Isn't that usurpation?" said Tom, putting his question in another form.

"No," said the ex-Congressman, "it's a growth. It's an unwritten constitutional amendment; and let me tell you that the unwritten ones have changed the Constitution more than the written ones. The English Constitution is unwritten; it changes from year to year; and people have sometimes derided our Constitution as rigid, fixed, inflexible, and virtually without power of growth. Wendell Phillips, for instance, said:

That vaunted statesmanship which concocts constitutions never has amounted to anything.



The English Constitution, always found equal to any crisis, is an old mansion, often repaired, with quaint additions, and seven gables, each of different pattern. Our Constitution is a new clapboard house, so square and sharp it almost cuts you to look at it, staring with white paint and green blinds, as if dropped in the landscape, or come out to spend an afternoon.

“But the truth is that our Constitution grows and changes without formal amendment just as the English Constitution does. Sir James Mackintosh said: ‘Constitutions are not made, they grow,’ and that is just as true of our written Constitution as of the unwritten English one.

“Admiral Dewey, in a misguided moment, once yielded to the urging of friends and declared himself a candidate for the Presidency. He had at first refused, on the ground that he did not know anything about the job; but now he said, with honest simplicity:

Since studying the subject I am convinced that the office of the President is not such a very difficult one to fill, his duties being mainly to execute the laws of Congress. Should I be chosen for this exalted place I would execute the laws of Congress as faithfully as I have always executed the orders of my superiors.

“Those two sentences destroyed any possibility of his receiving any nomination. They were everywhere taken as showing an entire lack of comprehension of what would be expected of him, and he was made the target of ridicule. But not one in a hundred of the smart alecks who ridiculed him was aware that Dewey was simply stating the constitutional intention about the Presidency, the conception of the fathers, and the rôle which the President had been expected to play. The only reason why it seemed funny in 1900 was that by an imperceptible evolution the Presidency had grown into something entirely different. The men of Jefferson's time, and even the men of Jackson's, would not recognize the Presidency if they were resurrected.

“As long as this was not really a nation, but a confederation of nations, and Congressmen were in a sense ambassadors from each of these nations meeting at Washington, the people had a sufficiently strong control of Congress. So long as a Congressman represented his constituency accurately, no more was expected of him. The interests of the different States were divergent, and the people could control by reward and punishment the actions of their Congressmen.

“They can still, so far as local matters are

concerned; but the association of States has grown into one nation, and the interests of the nation have grown larger than those of the States. The nation cannot get at the individual Congressmen who defy the national wish so long as they conform to the local wish of the State or district that sends them to Congress. A Congressman who satisfies his constituents in Montana or Delaware cannot be held to responsibility by the nation.

"Therefore the nation cannot, except in a vague and unsatisfactory way, vote for Congress. It votes in each district for a single Congressman, but if it wants any particular kind of legislation it has no direct way of getting it, because one district cannot control another. So it looks to the President, and holds him responsible. He promises, if elected, to do what he can toward obtaining the particular kind of legislation it wants.

"For instance, if the nation should want prohibition, it would demand prohibition from the candidates for President. They would run for the office on that issue. They would be voted for and one of them would be elected in full faith that they would carry out their promise. The one who was elected would immediately begin to carry it out by using all the means in his power to get Congress to pass a prohibition law.

“You asked me if that was usurpation, if it was a case of the President arrogating to himself the powers of Congress. No, it is the outcome of our growth; it is the result of our having become a nation instead of a loose confederation of nations called States, as we once were. The people center responsibility on the President; it is he whom they blame if they don't get what they want, and, therefore, it is due to him that Congress should listen to his legislative program. Congress is not bound to accept it, but it is his duty now, whatever it may have been in 1800, to take the lead in carrying out what the election returns have convinced him is the people's will.”

“But the people can punish Congress, can't they?” asked Anna.

“They can and they do; but they can't reach the individual Congressman so directly or effectively as they can reach the President. If I stand out against the will of the nation because I am obeying the will of the people of my district, what is it to me that the Congressman in the next row is defeated for re-election so long as my people are satisfied with me? Take that matter of prohibition. The people of the nation, as a whole, might be for it; but my district might be an exception. I would probably vote against it, then;

and I would not be punished, but rewarded, by re-election at the hands of my applauding constituents. And what difference would it make to me that the friends of prohibition were denouncing me, so long as they denounced me from some other district?

"But the President represents all the districts. He represents the whole people. And as the nation has become more and more alive, and the necessity of having some one on whom to concentrate the national will has become greater, the responsibility of the President has grown. With his responsibility, necessarily, has grown his power; for it would be most unjust to hold him responsible for legislation and at the same time compel him to keep his hands off it. In fact, just or unjust, it couldn't be done."

"While all that is true," said the Correspondent, "I think you ought to make it clear that the people do reward and punish Congress as a whole. They can't deal with individual Congressmen, but they do turn an unsatisfactory House of Representatives out of office in a most emphatic manner. You are right in saying that that has no terrors for the individual Congressman, but without that qualification the ladies might get

the idea that Congress is entirely above public opinion except on local matters."

"I accept the amendment," smiled the ex-Congressman. "And I will go further and say that the verdict which the people pass on any given House of Representatives is the test by which the President discovers whether he and his party are satisfying the people. Representatives are elected every two years, in the even-numbered years. There is, therefore, an election of Representatives two years after the President has been elected, and in the middle of his Administration. If that election goes against his party he may feel pretty well convinced that he and they are not giving satisfaction."

"And that isn't the whole of it," added the Correspondent. "That mid-administration election of the House of Representatives is the barometer by which you can tell whether the President is going to be re-elected or not. Ever since the War of Secession it has been the rule that if the Administration's majority in the House is wiped out at the mid-administration election, the President might as well give up hope of being re-elected two years hence. It is a rule with exceptions, but not many."

"That sounds like believing in signs," said Jane.

"Oh, it's no superstition, and it doesn't just happen so; there is a practical reason for it," replied the Correspondent. "The reason is that in the first year and a half of his term the President has had time to show his mettle and how far he is going to be successful in carrying out the promises he made when he was elected. If he hasn't satisfied the people by that time, he hasn't much chance of recovering his lost ground in the next year and a half. And if he has lost ground, the election of the House of Representatives shows it."

"Why do you always say 'of the House of Representatives' instead of 'Congress'?" asked the Business Woman. "Don't we elect Senators as well as Representatives?"

"Yes," answered the Correspondent, "but we elect the whole House of Representatives every two years, and we elect one-third of the Senate. You can overturn the party in control of the House at a single election, but it often takes several elections to overturn the party in control of the Senate. We speak loosely of 'electing a Congress,' but we never elect a Congress, we only elect a House. It's like our loose way of referring to 'Senators and Congressmen,' when a Senator is just as much a Congressman as a Representative."

"I understand how it is that a President is responsible for the carrying out of the policies on which he was elected," said the College Woman. "But if he dies and the Vice-President succeeds him, is he bound to efface himself and carry out the dead President's policies?"

"He isn't bound to, but when he doesn't his Administration is usually a total failure," responded the ex-Congressman. "He was elected on the same ticket with the President. At the same time, his moral obligation isn't as high as the President's because the President made the issues and he didn't. The status of the Vice-President was always in doubt until the time of John Tyler; it wasn't even known whether he was really a President or not in case the President died. When President William Henry Harrison died, the Senate took up the question and began considering whether Vice-President Tyler was 'President' or 'Acting President.' While they were in the middle of the debate an official communication from the White House interrupted them. It was signed, 'John Tyler, President of the United States.' That ended the discussion, and there has never been any doubt about it since.

"He did not feel bound to carry out the policies on which Harrison had been elected, and as a



result his Administration became a colossal failure. The next Vice-President who succeeded to the Presidency, Fillmore, departed considerably from the views of the dead President Taylor, and his party was turned out of office at the next election. Vice-President Johnson, who succeeded Lincoln, did carry out Lincoln's policies, but in such a way as to make them his own, and he extended them tremendously. He was impeached.

"President Garfield's policies were never developed except as they were partisan and factional, and Arthur did not agree with that aspect of them. He was his own President, and a far better one than Garfield gave promise of being; but he was turned down for the nomination when his term ended. Vice-President Roosevelt announced that he would regard himself as the trustee of McKinley's unexpired term. He was the only one of the five who was nominated to succeed himself."

"If both the President and the Vice-President should die, who would succeed them?" asked Jane.

"It is characteristic of our slow way of preparing for emergencies," replied the ex-Congressman, "that no provision was made for that very possible case until 1885; and that in spite of the terrible warning conveyed in the assassination of Lincoln, twenty years before. For the original plan of the

conspirators was to assassinate not only Lincoln, but the Vice-President, the Commanding General of the army, and the Secretary of State, and one of them did stab Secretary Seward.

“However, Congress finally made provision for it. In case of the death of the President and Vice-President, the Secretary of State becomes President until Congress can decide how to fill the vacancy. If he also dies, the Secretary of the Treasury succeeds him; and so it goes down through the Cabinet, with the exception of the Secretaries of Agriculture, Commerce, and Labor.”

“Why are they barred?” inquired Anna.

“They are not barred, but their offices were not in existence when the Presidential Succession law was passed.”

“Why is it that the Vice-President becomes actually President for all the unexpired term,” asked the College Woman, “while the Cabinet officer can only be President, as you said, ‘until Congress can decide how to fill the vacancy’?”

“Because the people elected the Vice-President for that very purpose, and they didn’t elect the Cabinet officer for any purpose, not even for the purpose of being a Cabinet officer. He was not elected, but appointed by the President. It is not at all unlikely, though, that in such a case

Congress would decide the matter by letting the Secretary of State fill out the unexpired term, rather than call a new election. It is characteristic of our disinclination to look ahead that we have never got any nearer than this to providing for that emergency. Our national temperament is happy-go-lucky, and it is reflected in our laws."

"Has the Vice-President any duties—except to wait for the President's death?" asked Jane, frivolously.

"He presides over the Senate," said the ex-Congressman, "but that is an ornamental rather than a useful job, for the Senate makes its own rules and interprets them for itself. The Speaker of the House has some power, but the Vice-President hasn't any. If ever a really important question of parliamentary procedure comes before him the Senate takes the decision of it into its own hands. He can decide a tie vote, but he never has one of any importance to decide. So it isn't any wonder that Vice-President Marshall is reported to have said, in the last campaign: 'I am not a candidate for office. I am running for Vice-President, and that's no office.'"

"And," contributed the Correspondent, "as Private John Allen said when he saw Vice-Presi-

dent Stevenson walking along the street with his head bowed in thought: 'There he goes; nothing on his head but his hat; nothing on his mind but the longevity of the Executive.' ”

## CHAPTER XXV

### MINOR PARTIES

"WHAT part do the minor parties play in our political system?" asked the Business Woman.

"A corrective part, if they grow strong enough," said the Lawyer. "Often they don't grow strong enough for that, and they never grow strong enough to become major parties."

"Oh, dear!" said the Business Woman skeptically. "How about the Republican Party? Wasn't that nothing but an abolition party to begin with?"

"It wasn't an abolition party, and it wasn't the outgrowth of a minor party, and it is no exception whatever to my statement," returned the Lawyer. "History is often written to make it appear that it was, but, as General Meade remarked, 'I have a great contempt for history.' Whenever somebody launches a new party he is sure to remind us that the Republican Party sprang from an equally small beginning, but it isn't so.

“The Republican Party was a major party from its birth. It was the outgrowth, not of a minor party, but of an anti-slavery sentiment that pervaded all parties, and if we had waited for the Abolition Party to grow into the Republican Party it would be with us yet, casting a vote about the size of the Prohibition Party. The Republican Party was made up, not of abolitionists, but chiefly of Whigs and Democrats, when the Whig Party collapsed; and it was not in favor of the abolition of slavery, but of restricting slavery to the Southern States.

“The temperament of the American people does not favor more than two parties. If it is impressed favorably by a reform advocated by some minor party, it will press that reform on one of the major parties, and that major party will bring it about. In the case of prohibition, it is being brought about through both of the major parties, and without being made a partisan issue at all.

“New parties are born continually, and the history of the United States is littered with their ashes. Sometimes, as in the case of abolition, they are founded on an issue which is bound to make its way, but it makes its way over their dead bodies. The Prohibition Party is a fine example. It is weaker and more insignificant now than it

was at any time in its history, and has shrunk most mightily from the strength it displayed in 1884 and 1892, and yet prohibition itself is sweeping State after State, and is now being submitted to the nation as a whole. Twenty-five years ago, if you had told a Prohibitionist that in 1918 twenty-three States would be dry and a prohibition amendment to the Constitution would be submitted to the Union, he would have said, as a matter of course: 'So the Prohibition Party will be in power in 1918. I wonder which one of us will be President.' He would have been dumbfounded to be told that the Prohibition Party would be smaller than ever and shorn even of the influence it had in his day.

"Other nations have more than two major parties, but it does not seem to fit in with the American genius. As Patrick Henry said: 'I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging of the future but by the past.' And while prophecy is risky in politics, if we follow Patrick Henry's lamp we will have to conclude that no minor party is likely ever to become a major party. If it grows anywhere near strong enough to threaten that possibility, one of the major parties or both will adopt its principles, or rather

so much of its principles as are grateful to American sentiment, and the minor party will thereupon shrivel up and die, as the Prohibition Party is doing.

“Generally speaking, minor parties never get even that far. In 1856 the Know-Nothing Party, or American Party as it was officially styled, broke into the Electoral College with 8 votes for its Presidential candidate, Fillmore. That was more than the Socialists, for instance, have ever done. But that demonstration of strength did not frighten either of the old parties into adopting its anti-immigrant and anti-Catholic principles, and no vestige of them remains in our political system. The party and its principles vanished away like breath from a mirror.

“The Greenback Party threw politics in turmoil, carried States, and disturbed calculations in two Presidential elections, but it never got an Electoral vote, and its principles are unwritten in our legislation. The Populist Party, which succeeded it, did better, and captured no less than 22 Electoral votes for Weaver, its candidate, in 1892. Some of its less objectionable principles were taken over by the Democratic Party, and in 1896 the two parties nominated the same Presidential candidate, Bryan, but nominated different candi-



dates for Vice-President; and Watson, the Populist candidate for that office, got 27 Electoral votes.

"That was the most that any third party has been able to do since the Democratic and Republican parties first confronted each other on the political battleground, and the Populist Party is now dead. What there was of value and significance in its principles, which was not much, had its influence on the minds of men in the old parties and made some mark on legislation. No other minor party has got far enough along to capture even a single Electoral vote."

"Aren't you forgetting the Progressives?" asked Tom.

"No," said the Lawyer, "but I don't consider the Progressive Party as a true third party. Though many Democrats voted for Roosevelt in 1912, the party, as a party, was one of Progressive Republicans. Progressive Democrats, as a rule, voted for Wilson. It was actually nothing more than a split in the Republican Party, just as the two Democratic tickets in 1860 represented a split in the Democratic Party. Taft was the candidate of the conservative Republicans, Roosevelt of the progressive Republicans. If you insist that there was a third party in that year, you will

have to give the title to the conservative Republican Party, which carried no State but Utah and Vermont, got but eight Electoral votes, and ran third in the popular vote.

“I have mentioned only the most prominent and successful of the infinite number of third parties that have been born and have died. They are nearly always formed to push some reform, and their work is of value in agitating that reform, but the party itself never reaps the advantage; if the reform impresses the people, the people compel one of the old parties to enact it, or so much of it as makes a hit with them. The moment the legislation begins to appear on the statute books, the party that advocated it in the beginning begins to peter out.

“The Socialist Party made a steady gain for so many years that one could almost calculate arithmetically the number of votes it would win at the next election. Then, in 1916, it did not gain, it fell off. This was partly due to its pro-Germanism and partly, no doubt, to the fact that, as had happened in the case of the Populist Party, what was of value and what appealed to the American temperament in its program was being taken up and enacted into legislation by the old parties.”

“What would you say,” asked Tom with a grin,

"if at the next election the Socialists should begin to grow again?"

"I should say," replied the Lawyer, "that a good many of the people were still unsatisfied with the amount of good stuff that the old parties had taken from the Socialist program; and in that case you would mighty soon see the fact reflected in additional legislation. I mean I should say so if the war were not complicating the matter a little; for, of course, pro-Germans, pacifists, and others who have no interest whatever in Socialist principles will vote the Socialist ticket this year as a means of expressing their disapproval of our war with Germany, and after the war these individuals will return to their former party allegiances. Patriotic Socialists, on the other hand, will probably vote other tickets. So that a Socialist gain or loss this year will not be such a decisive test as usual."

"Isn't there reason to fear, then," said Tom, "that Congressmen, mistaking a Socialist gain in votes for a gain in the principles of Socialism, may be misled into adopting part of the Socialist program when the people really don't desire it?"

"Taking Patrick Henry's lamp again," replied the Lawyer, "I should say that there wasn't any reason to fear it. Statesmen and politicians are

extremely canny in such matters, and in the past they have very seldom mistaken a fictitious appearance of public sentiment for the real thing.

“We have had a great deal of labor legislation, though we have no labor party. Once the labor men did hold the threat of a third party over the major parties, and that was enough. Henry George’s astonishing run for Mayor of New York in 1886 frightened the old parties into spasms, and was followed by the actual organization of the United Labor Party. It disintegrated within a year, and the labor leaders have since proceeded along the line of getting what they want in the way of legislation by demanding it as leaders of labor, not as labor politicians. As for George’s own followers, as distinct from organized labor, they formed themselves into the Single Tax movement and have since been trying to make progress, not as a third party, but as an influence within both parties.”

“What is the Single Tax?” asked Anna.

“It is the proposal to have the owners of land pay to the Government, in the form of taxes, the value of that land as it would be without any buildings on it. That, in the Single Tax scheme, would ultimately relieve them from the payment

of taxation on buildings or on personal property. The idea is that the value of land is not made by any individual, but by the presence of the community, and that therefore the community and not any individual is entitled to it. The individual, however, does make the value of the buildings he puts up on the land, and therefore the community should not take that value or any part of it away from him, either in the form of taxes or in any other way."

"I saw Single Tax speakers on soap-boxes last Fall," said Tom, "who were making speeches for somebody for Mayor, so that I don't exactly see your statement that they are not in politics as a third party any longer."

"It is a new development, then," said the Lawyer. "It is a fact that the Joseph Fels Fund, which appears to be the director of the Single Tax organization, has entered the new National Party that was formed last Fall, and there are other signs that the Single Taxers are entering more actively into politics."

"And what is the Short Ballot?" pursued Anna.

"That is a proposal to shorten the ballot by making more officials appointive and fewer of them elective. It rests on the fact that when the voter

goes into the polling booth he is confronted by a list of names he never heard of, for offices he had forgotten were in existence. Obviously he can't decide on the merits of the candidates, so he votes either haphazard or in accordance with his party affiliations. Most of our minor officials are elected in the dark. The Short Ballot plan is to have these minor officials appointed by the Governor if they are State officials, so that the voter can hold the Governor responsible for the way they behave in office. At present nobody is responsible."

"And what," went on Anna, "is the Initiative and Referendum?"

"Direct legislation," answered the Lawyer. "That is, the people do the legislating themselves instead of having the Legislature do it. We haven't any such system in this State, though the Legislature frequently submits a referendum to the people, of its own accord. That is, it asks them to vote on the question, 'Shall this piece of legislation be adopted?' That's a referendum, a referring. It refers the question to the people. The original advocates of the plan had visions of having the people ultimately do all the legislating; but in practice it has been found so vexatious and expensive, and to result in such

extraordinary excrescences in the way of law-making, that there is no chance of that.

“In some States, where the Initiative and Referendum are in full flower, the people are constantly being called upon to vote for or against a long string of proposed laws that they haven't time to study and would need a lawyer to explain if they did. The result is similar to that which we have noticed under the direct primary system: most of the people won't go to the polls, and consequently a minority passes on the proposed laws. It also costs like the mischief to print all the proposed laws and send them to each voter, especially where woman suffrage has doubled the number of voters; and yet if they're not sent to each voter, the voters can't decide on their merits. So the law usually requires the mailing of the whole body of proposed legislation to everybody in the State who can vote, so that a single family may get five or six copies of the measures.

“The Initiative is the other end of the gun, the end you load. It gives the people power to propose legislation, as the referendum gives them power to adopt or defeat it. You think, for instance, that there ought to be a law prohibiting people from turning out their pet cats to starve when they move away. If you lived in a State

which had the Initiative and Referendum, you would go about among your neighbors and circulate an initiative petition calling for the passage of such a law. If you got the required number of signatures the Legislature would be obliged to submit it to a referendum of the people. In the State of Washington, some years ago, they got an Initiative and Referendum measure through which prohibited any housewife from allowing her maid to work more than eight hours a day, and any farmer from allowing his hired help to work more than eight. It tangled things up considerably in the harvest season, and I don't remember how they finally straightened it out."

"And what," concluded Anna, "is the Recall?"

"Another phase of direct government. The people can not only elect a man to office, but put him out. We haven't got it in New York. In places where they have it, if you don't like the way the Mayor is acting, you circulate a petition to recall him. If you get the required number of signatures there must be a new election to determine whether the Mayor shall go on with his job or return to private life. In theory it sounds well, but in practice it sometimes works out so that the voters in a given town are holding elections every few months and that the Mayor can't do his



work because he is being constantly re-elected and recalled. The trouble is with our fatal good nature in the matter of signing petitions whenever a good fellow asks us to.

"These reforms, those that are valuable and those that are not, are usually obtained, not by third-party movements, but by agitation within the old parties, though a third party committed to that reform is useful as a club in helping the old parties to hurry and make up their minds. That's why I said they were useful as a corrective."

"But, in order to be corrective," said the College Woman, "you don't, as I understand it, have to get outside of the old parties and join a new one."

"Not at all," said the Lawyer, "and for ordinary purposes the independent voter is a whole lot more corrective than the third party."

"Ah! the independent voter," purred Anna. "I have been hoping you would tell us about him." She settled herself back expectantly.

## CHAPTER XXVI

### THE INDEPENDENT VOTER AND NEW YORK STATE POLITICS

"THERE are two kinds of independent voters," said the Politician. "There are those who stay altogether outside of the parties and merely vote, as they express it, 'for the best man.' There is a far more numerous class who act in general with one party, but never vote a straight ticket."

"The independent voter," said the Lawyer, "is one who wants reform and good government, and votes for whatever candidates represent those things, no matter on what ticket they run. He is an anti-machine man."

"I take leave to differ with you," retorted the Politician. "Sometimes he is and sometimes he isn't. The independent voter is not bound by party, and he may vote against his party because he wants reform, or because he doesn't want it; because he favors good government or opposes it. There never was a ticket which was

more openly committed to the spoils system, to machine government in its most autocratic form, to government of the people by politicians for spoils, than the Tammany ticket which was elected in New York City in 1917, and yet many men voted for it without regard to party. If a man had been voting the Fusion ticket for ten years, and in 1917 he voted for Tammany, wasn't he breaking away from his party affiliations? Wasn't he, therefore, an independent voter, so far as that election was concerned?

"You, and men like you, have in your mind's eye a vision of an abstraction called the Independent Voter, a pure and lofty soul who votes for the Good, the Beautiful, and the True. The independent voter is frequently moved by bad motives as well as by good ones. He may cut his party ticket because his soul recoils from the evil men on it, or he may cut it because the good men on it won't give his wife's brother a job he isn't fit for, or because he is in the gambling business and they threaten to close up the joints. The independent voter is a multifarious being, just as is the partisan voter; and if we cease to personify him we will come a good deal nearer to understanding him, and we will be less bewildered and shocked when elections don't go the way we expected them to.

“George William Curtis was an independent voter. He voted for the Good, the Beautiful, and the True, no matter on what ticket he found it. But Jay Gould was an independent voter, too. He defined his position as follows at the time he was running the Erie Railroad: ‘In a strong Republican district I was a strong Republican; in a Democratic district I was a Democrat, and in a doubtful district I was doubtful. But in politics I was an Erie Railroad man all the time.’ His politics was guided by the interests of the Erie Railroad, or rather by his own personal interests in that road. Curtis’s was guided by the question, How can I vote so as to get good Government? But neither one of them was a partisan; both were independent.”

Anna looked disturbed. “But isn’t it a fact,” she protested, “that if you stay outside the parties and use your vote as a menace to the politicians they will be compelled to nominate better men for office than if you don’t?”

“You can use your vote as a menace whether you stay outside the parties or not,” replied the Politician. “Joining a party doesn’t compel you to vote for its candidates. If you don’t join one you have no power to work for any reform you may want. You leave it to your friends inside the

party to work for that reform, and if they don't succeed because you and other good souls like you won't join it and work with them, then you signify your royal disapproval at the polls. They have that same power to disapprove the result at the polls that you have, and in addition they have the power to work for reform before the ticket is nominated, which you have not. Staying outside the party is disguised under high-sounding names, but strip it of its pretense and you will find it to be nothing but plain, old-fashioned laziness, and its motto is, 'Let George do it.'"

"You seem to be slamming the independent voter," said the Correspondent, "but you are only slamming one class of him, and you yourself said there were two. The independent voter who toploftically stays outside of the parties and prides himself on not being a publican and sinner may deserve your attack, but, as you said a minute ago, there is a far more numerous class, which acts in general with one party, but never votes a straight ticket. And that class is mighty useful. It is what throws the fear of God into the politicians, and does more than anything else to keep them straight.

"Besides, I don't agree with your strictures even on the absolutely independent voter when it comes

down to city politics, though I think you are right as to State and national politics. My reason is that there is no sense whatever in party divisions in city politics, because the Republican and Democratic parties don't represent anything there. At the beginning of this discussion we talked over the fundamental difference in the conception of government which divides men into two great parties in the nation. But when you get down to the city, that difference ceases to divide. City government is wholly a business matter, so much a business matter that some cities have abolished political officeholders altogether from Mayor down and govern themselves by commissions, while other cities appoint business managers just as a private corporation would do."

"Isn't there a difference of conception in cities about whether government should be administered for the benefit of the people or for the enrichment of officeholders and their backers?" demanded the Politician. "And if there is, isn't there a political division along that line at election time?"

"Yes," struck in the Lawyer, "but it isn't a division along lines of Republicanism and Democracy. It is a division along the lines of good government and spoils government. The people who believe in one should line up for it, the people

who believe in the other should line up for that. That is the very reason why no man or woman should vote in a municipal election along Republican or Democratic lines; for a city government cannot be either Republican or Democratic, either high tariff or low tariff, either Federalistic or Jeffersonian; it can only be in the interest of the people or in the interest of the politicians."

"I suppose, then," suggested the College Woman, "there has always been more independent voting in city elections than in national and State elections?"

"It's natural to suppose so," said the Lawyer, "but it isn't so. On the contrary, independent voting had made a good deal of headway in the nation before it began to make much impression on the city. In New York the three machines were still nominating their straight partisan tickets for years after the Mugwump movement of 1884 had familiarized the nation with the idea of independence.

"But after the idea of nonpartisanship in city elections took root it grew very fast. The ideal city government would be one which was entirely divorced, not exactly from politics, but from divisions along national party lines. In this city that has actually been the case in more than one

election, and was entirely so in the election of 1913, when Mitchel became Mayor.

“The movement to take national politics out of city government got a great impetus when it was enacted that the city election should be held in a different year from the State and national elections. Before that time the city election had come every two years, and had always fallen in the even-numbered years, so that when you voted for Mayor you were also voting for either a President, a Governor, or a Congress, or for all three. Naturally, in a time of such high partisan excitement, one was likely to vote his party ticket, Mayor included.

“So it was ordained that the Mayor should be elected in odd-numbered years. The term of the Governor was made two years—it had been three—and placed in the even-numbered years, when a President or Congress, or both, were being elected. So the contests which rightly ought to be conducted on partisan lines must always come in one year, and the contest which never should be conducted on partisan lines comes in another; ‘and never the twain shall meet.’

“The term of the Mayor was lengthened to four years with the idea of giving him time to carry out his policies; so that Mayor Hylan, for



instance, may be undisturbed in the statesmanlike working out of the lofty and high-minded systems of reforms which the people of the city, in their cool and mature judgment and in their anxiety for good government, commissioned him to prepare. That's the theory. The practice is somewhat varied."

"Does this city ever have the majority of votes in the Legislature?" asked the Business Woman.

"Never," answered the Lawyer.

"Why not? Hasn't it a majority of the people in the State?"

"Yes. It has five-ninths of the population. But the State Constitution of 1894 provided that it should never have more than half the Legislature, no matter how much of the population it might have."

"That seems to be unjust," said the Business Woman. "Why is it?"

"It was a measure of self-protection on the part of 'up-State,' as we call that part of the State north of the city," replied the Lawyer. "Its motives were partly political and partly statesmanlike. The political motive was that the Republicans, who controlled the Constitutional Convention of 1894, wanted to guard against this Democratic city controlling the Legislature. But to do them

justice, I think their motives were not so much partisan as inspired by a real foreboding of the danger to 'up-State' if the city ever got the upper hand.

“The fact is that the interests of the city and up-State are not always the same, and they don't hitch so well together as they might. The State boundaries, in other States as well as ours, are arbitrary, and some up-State counties may have a more real affinity with Ohio or Pennsylvania than with New York City. That was exactly the case with Virginia, the western and eastern parts of which were yoked together in a galling harness. The real interests of Western Virginia were Northern; those of Eastern Virginia were Southern. Western Virginia's real metropolis was Pittsburgh, not Richmond. When the War of Secession came this division of interests led the western half of the State to secede and set up a separate State Government. It is now the State of West Virginia, and a good deal more like Pennsylvania than it is like Virginia.

“The difference of interests isn't so pronounced in New York State as it was in Virginia, and the two sections of the State get along together, though frequently with a good deal of grumbling. The city charges up-State with a lack of sympathy,

with trying to govern a metropolis in accordance with rural standards, and up-State looks with real terror on what might happen if Tammany Hall, which it abhors, ever got up-State in its hands as it sometimes gets the city.

“This cleavage has cut the Democratic Party in two in this State. The up-State Democrats would seek refuge in the arms of the Republicans rather than let Tammany extend its control over them, and there have always been virtually two Democratic organizations in the State, that of the city and that of up-State. The up-State organization has for years been a poor thing, with no central point to rally round, merely a lot of local leaders, each running his own bailiwick, but with no strong man to combine and inspire them. It had such a man in David B. Hill, under whom the up-State Democracy was a strong organization full of life.

“Well, you would think that in such a condition the up-State Democracy would surely fall under the yoke of the city Democracy, which is strong enough and is well centred. So it would, if the city organization were anything but Tammany; but for Tammany the up-Staters have an unspeakable loathing, and that sentiment suffices to keep them apart from it, even though they have no great

strength of their own. The up-State Democracy leads an independent but vegetable existence.

“This inability to control the State, no matter whether it has a majority of the votes or not, has always been a sore spot with Tammany, and in 1914 Boss Murphy succeeded in having a Constitutional Convention called so that he could have the Constitution revised in this respect. He did this because he thought the State was surely going Democratic at the next election, and that consequently the majority of the delegates elected to the convention would be Democrats. It so happened that he made a slight miscalculation; the State went Republican by about 130,000, and the Republicans controlled the convention which Mr. Murphy had so sagaciously called. This, by the way, is a consoling proof that Bosses don't know everything about politics, and the truth is that they often haven't any more idea about how an election is going than my maiden aunt.”

“Is that the way we change a State Constitution—by holding a convention?” inquired Anna.

“We hold a new Constitutional Convention every twenty years, in theory, though in fact more than twenty years usually go by before the Legislature passes the necessary provision for it,” said the Lawyer. “The Constitutional Conven-

tion which was ordered in 1914, as I have just told you, met in 1915, and prepared an excellent constitution which would have been of great benefit to the people. Its most important reforms were in the way of simplifying legal proceedings so as to give the litigant more chance in the courts.

“But it was submitted to the people, and they refused to adopt it by an enormous majority, chiefly, as I conclude from the nature of the discussion I heard at the time, because of a clamor that was raised against the personality of the men who had framed it, especially Elihu Root. I did not hear any discussion, on the part of the men who voted against it, of the merits of the constitution, but only of the characters of the constitution-makers. Of those I talked with I never found one who had read it. It’s a way the people sometimes have, and is one reason why we sometimes suffer a long time from bad laws.

“However, that’s not the only way to amend the State Constitution. Individual amendments are submitted to the people from time to time, but their fate is always uncertain, because an election is going on at the same time and the people are too busy arguing about who should be Governor or Mayor to pay much attention to the Constitutional amendment until they find it staring them

in the face when they get to the polling-place. I sincerely hope that one of the first things you ladies will do, now that you can vote, is to set your faces, each one of you, against this practice; for as a result of it most voters vote for or against Constitutional amendments in very much the same spirit in which they would toss a coin. Consequently the merit or demerit of such an amendment has very little to do with the probability of its acceptance or defeat at the polls. That we have so good a Constitution as we have is a proof of the watchfulness of Providence, not of any care exercised by the voters."

"So that's the way we amend the State Constitution," said Anna. "But how do we amend the Federal Constitution?"

## CHAPTER XXVII

### THE "SOLID SOUTH" AND THE REASONS FOR IT

"A CONSTITUTIONAL amendment," said the Lawyer, "must get the votes of two-thirds of the Senate and two-thirds of the House in order to be submitted to the States. It does not become a part of the Constitution unless three-fourths of the States ratify it. At present it takes thirty-six States to ratify a Constitutional amendment."

"They ratify it through the Legislatures, I know—or can they ratify it by popular vote?" said the College Woman, struck with a sudden thought.

"They have to ratify or reject it through the Legislatures," answered the Lawyer. "There is nothing, of course, to prevent the Legislature in any State from calling for a popular vote on the amendment, to see how the people stand on the question; but they are not bound to ratify the amendment because the people have voted that way.

"In saying that the States have to do their ratifying or rejecting through the Legislatures, I should make this qualification: If Congress distrusts the Legislatures for any reason, it can call State conventions for the purpose of passing on the amendment it is submitting. But Congress never does that, and the provision is an unused muscle of the Constitution."

"I have heard it said that no Constitutional amendment which is submitted by two-thirds of Congress has ever failed to be ratified by the States," said the College Woman. "Is that true?"

"It is not," returned the Lawyer. "There have been a number of amendments which Congress passed and which the States rejected. When the first Congress met, it was found that the Constitution was defective in that it contained no Bill of Rights. Madison, the leader of the House, prepared twelve amendments covering the deficiency, and Congress passed them by the necessary two-thirds vote; but the States rejected two of them. One of the rejected amendments would have given the people a larger representation in Congress, and the other was intended to prevent Congress from raising its own salary before the expiration of its term. The ten that



were ratified established the rights of the people, freedom of speech, of the press, the right to bear arms, and so on.

“The most interesting case of a rejected Constitutional amendment was that of the proposed Thirteenth Amendment, which was passed by two-thirds of both houses in 1861. I noticed that some of you raised your eyebrows when I said a while back that the Republican Party was not an abolition party. It was not, however, and the South forced it to become an abolition party by seceding from the Union. The Republican Party was formed not to abolish slavery, but to keep it from spreading into the Territories, which would ultimately become States.

“It elected Lincoln President in 1860, and in the following Winter, just before the outbreak of the War of Secession, the House of Representatives passed a Constitutional amendment which would have made slavery perpetual. It provided that ‘no amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish, or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.’ This proposed Thirteenth Amendment passed the House, in which the Republicans

were in the majority, by a vote of 133 to 65. It is only fair to say, though, that the sixty-five negative votes were all cast by insurgent Republicans. But the amendment was drafted by the Republican leaders, and when it reached the Senate it received the votes of thirteen out of the twenty-five Republican Senators, and was adopted by a vote of 24 to 12, which was exactly the two-thirds necessary.

"It was ratified by only two States, Maryland and Ohio. Some States never acted on it at all. The war came along and made an immense difference in the point of view. At the close of the war a Thirteenth Amendment was adopted, one that was also proposed by Republican leaders and passed by Republican votes, but it was somewhat different from the one they had proposed in 1861. It provided that 'neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.'"

"That doesn't say anything about giving the negroes the right to vote," said Anna. "I thought that was what the Thirteenth Amendment provided."

"No, the Fifteenth Amendment provided that,"

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said the Lawyer. "There were three war amendments. The Thirteenth abolished slavery, the Fourteenth created citizenship in the United States—strange to say, before that time we had only been citizens of the State in which we lived—and prohibited the States from depriving citizens of the United States of their rights. Of course that was designed primarily to protect the negro, but it actually went much further, and, by creating citizenship in the United States and taking its citizens under its protection as against the States, it took a long step in making this country a nation instead of a confederation of States. The Fifteenth Amendment gave the negro the vote."

"Which doesn't seem to have done him much good," remarked Tom, blithely.

"It has failed completely," replied the Lawyer, "and that is a very good proof that there are some things the nation can't do: that it can't compel the States to accept citizens they are determined not to accept. The negro votes in most States, but he would have voted in those States without any Constitutional amendment. The amendment was designed to force his vote upon the minority States, which didn't want him to vote; and he doesn't vote there—at least, not in proportion to his numbers. In most Southern States an

educated and property-owning minority of the negroes is allowed to vote—a very small minority—but still there are probably no States in which no negroes vote."

"So the amendment has had that much effect," suggested Tom.

"No," said the Lawyer. "For the educated property-owning minority of the negroes would have been allowed to vote in those States anyhow. The amendment has had no effect of any kind except a political and social effect. The social effect was to create lawlessness in the Southern States, to bring up a generation of young men in the conviction that law was to be despised and that a negro had no rights, and to replace the old relations of confidence between the races by a hatred that was long in dying down. Lynching was not a Southern vice before the futile attempt to enforce the Fifteenth Amendment put the Ku-Klux virus in the Southern blood. It is bad business for legislators to play with great elemental forces that they don't understand, and worse business for one community to force its standards on another. It is not merely that it can't be done. If that were all, the harm would be negligible. It can't be done, but something else can be done, something that will leave its dark stain on gener-

ations to come. It can't be done, but it doesn't leave things where they were before.

"Then there was the political effect. That was to create the Solid South."

"That means, doesn't it," propounded Anna, "that the Southern States always vote the Democratic ticket?"

"Well, it means a little more than that," put in the ex-Congressman. "It means that there is practically only one party in the South. It means that a whole section of the Union votes for President and Congress without regard to the issues. It means that, while all the rest of the Union is dividing according to the issues of the day, the South remains in its corner of the country a dead, inert mass politically, casting its solid vote always the same way. A Southern man may believe in all the principles of the Republican Party, but he votes the Democratic ticket just the same. He votes it even though he wishes for the success of the Republican ticket, and even though he believes that a Democratic victory will injure his pocket book. The Solid South is an anachronism and a deplorable thing. I don't mean that it is deplorable that a section of the Union should vote the Democratic ticket, but deplorable that it should vote any ticket without reason."

"You haven't made it clear yet how that state of affairs comes about," complained Anna.

"Why, it came about, as I told you," said the Lawyer, "through the attempt of Congress to ram negro suffrage down the South's throat when the South didn't want the negro to vote. Negro suffrage meant government by negroes, either in whole or in part; and the negroes proceeded at once to give a frightful example of what negro government meant. It was plain that if it went far enough it would mean the extinction of civilization, the reduction of at least a part of the South to the condition of Hayti. In South Carolina the growing resemblance to Hayti, within eight years after negro government had been installed, was already distinctly discernible.

"So, in this moment of peril to civilization itself, Southern white men stood together to save it and themselves. The Democratic Party was their instrument in this great fight, and, therefore, it became a mark of racial treason to belong to any other party. In the presence of a peril to home, country, and race itself all other questions disappeared; and a Southern man cared not a whit whether the Democratic Party represented his general political convictions. He belonged to it because he must belong to it. He might be a pro-

tectionist, and the Democratic platform might declare for a tariff for revenue only; he might even think that his business would be ruined if the Democrats carried that platform into effect; but no matter, he must stand by his family, his home, his race, and vote the Democratic ticket just the same."

"But there isn't any peril of negro domination now," said Tom. "All that is in the past. Why doesn't the South gradually break up into parties, the same as the rest of the Union does?"

"The most thoughtful Southerners wish it would," responded the Lawyer. "The present system is bad for them. If a corrupt gang seizes hold of the Democratic Party in any Southern State, or if an unrepresentative set of mossbacks rule it, it is much harder to oust them than it would be in the North. In the North, if we couldn't fire out the gang by working within the party, we would vote the opposition ticket and smash them at the polls. The South can't do that; if it can't overcome the objectionable element by a fight within the party, it has got to grin and bear it.

"There have been efforts to create the two-party feeling in the South. It is true, as you say, that negro domination no longer menaces them. But

the trouble is this: During the years when it did menace them, the feeling on the subject was of fierce intensity. A man was a racial traitor if he voted the Republican ticket; that was the feeling. In many places, to become a Republican was to bid good-bye to good society and the respect of one's neighbors. Even in places where the feeling was not so strong, to be a Republican was regarded as an exhibition of eccentricity, of not being just like other people. (I am not speaking, of course, of the border States.)

"Now, remember that the present generation was born when that feeling was at its height; that it grew up under the influence of that feeling. The Southern man of thirty or forty hasn't any of that old fierce hatred of his Republican neighbor, as a traitor to his race, as a man who was doing what he could to bring unnamable woes upon his home and community; that's all gone. But he was brought up in the feeling that a Republican, unless a Northern man, was somehow outside the pale.

"He lives in a society in which all his intellectual and social equals are Democrats, and where they all have that feeling of amused surprise when they hear that some otherwise irreproachable acquaintance is so eccentric as to be a Republican. I use the words in no snobbish sense; what I am saying



applies to the mechanic as well as to the employer, and perhaps a little more.

"You can see how difficult it must be to start a Republican Party in the South. Southern Republicans tried the experiment of dissociating themselves entirely from the negroes, who had hitherto been the majority of their party; they formed a separate organization, and then they waited for an inrush of Democrats, who, they thought, had been waiting longingly for the time when they could have 'two white men's parties' in the South. The rush didn't come. The Southern Democrat gazed with surprised amusement at the waiting white Republicans and the discomfited black Republicans, and the sight merely excited him to mirth. He dubbed the two parties 'the Lily Whites' and 'the Black and Tans,' and under the fire of his laughter the movement shriveled up.

"The curse lies on the name 'Republican,' and the failure of the Lily White movement made that saliently visible. There is no use trying to build up any second party in the South while it wears that name, not because the old hatred attaches to it, but because it is unfashionable, and because to assume it brands a man as somehow a little queer. Consequently, thoughtful South-

ern men have tried to find some way by which the accursed name could be avoided, but without any success so far.

"The Populist movement broke into the Solid South. White men who would have died rather than call themselves Republicans had no objection to the name Populist. It carried some Southern States. But it was a class movement, and appealed mainly to farmers of a radical type. The Progressive Party offered a better chance; and in Louisiana especially it was seized on with avidity and with some prospect of success. Louisiana was burdened with a Democratic ring which couldn't be got rid of because there was no opposition ticket to vote for. John M. Parker, a leading citizen of the State, saw his chance to break up the one-party spell that binds down the South's limbs, and, beginning with his own State, to awaken her.

"He made pretty fair progress, until the decline of the Progressive Party in other States made it plain that its death was near at hand and that a wise man had better think twice before giving up his Democratic affiliations and trying the ocean in so frail a boat. The destruction of the party in 1916 finished the thing. It was too bad, for it was a fine and generous idea. Perhaps at some time in the future it may be possible to revive it

x ( in some other form; but until that happens the South will continue to be a dead weight politically on this otherwise virile and healthy Union."

"Maybe woman suffrage will make some difference when it comes about in the South," suggested Jane.

"Maybe," said the Lawyer, "though the Southern women I know are much more heartily convinced that to be a Republican is to be impossible than the men are. They'll have to undergo a remarkable change of mind in order to bring about that difference you foresee. And maybe they'll undergo it." His tone expressed deep skepticism.

## CHAPTER XXVIII

### THE JOB OF A LIFETIME

THE Correspondent stood up. "I've got to be back in Washington tomorrow—or," he amended, referring to his watch, "today."

"That's taps for us all," said the ex-Congressman. "But before we break up," he added, looking around the circle, "I would like to know what is the general impression that has been made on your minds by the things that have been said tonight."

"The impression made on my mind," said the College Woman, "is that it is very distinctly my own fault if I'm not governed the way I like; and I shall never again have any patience with people who tell me that politics is corrupt, or that there is no use in taking a part in it. Because, even if that is so, it is my fault and the fault of those who are doing the growling."

The Lawyer nodded approval. "And yet," he cautioned, "don't get the idea that a single

fight, or even a few years of constant battling, will reform things and make everything lovely. It's a lifelong battle that you entered on when you got the vote, and a battle that is more than lifelong, for when you die you will pass it on unchanged to your children. Let me read you something that Gladstone said on that subject:

It is true, indeed, that every nation is of necessity, to a great extent, in the condition of the sluggard with regard to public policy: hard to rouse, harder to keep aroused, sure after a little while to sink back into his slumber. The people have a vast, but an encumbered power: and, in their struggles with overweening authority or with property, the excess of force which they undoubtedly possess is more than counterbalanced by the constant wakefulness of the adversary, by his knowledge of their weakness, and by his command of opportunity. But this is a fault lying rather in the conditions of human life than in political institutions.

'If, instead of saying 'every nation,' you will say 'everybody'—better still, if you will say 'I'—you will understand and you will never forget why we have bad government, as we sometimes do.'

"And who is 'the adversary'?" asked Anna.  
"The Boss, the corporation magnate, the briber, or the demagogue?"

"Gladstone called him 'overweening authority'

and 'property,'" said the Lawyer, "but his name in this country is legion. He is whoever at a given moment is trying for whatever motives—and they are not always bad—to bring about legislation and administration that are not in the public interest, even when they appear to be."

"Even when they appear to be?" repeated the College Woman, questioningly.

"We have had lots of bad laws that looked all right when they were advocated," replied the Lawyer. "We are continually joining in some popular cry and denouncing all who don't join in it as thieves and villains; and then, when we have our way, the law we have clamored for turns out to be a bad one and the thieves and villains to have been merely honest folks like ourselves, but with a little more foresight than we had. That has been a striking characteristic of the last ten years.

"And from that you may learn that it isn't enough to have good intentions. A voter isn't performing his duty when he takes up some popular catchword because he likes the sound of it, and hurrahs for it without having first found out what it really means and whether it is most likely to accomplish the good that is claimed for it or not. More harm is done by foolish virtue in politics than by vice.

“Remember that it is perfectly easy to be an influence in politics. You have had the idea that politics was a trade secret, a mystery, and that nobody could do anything in it without being initiated. I think after tonight’s talk you no longer have that idea. You know now that organization will work wonders; that no technical knowledge is necessary to form organizations; that the machine is always at the mercy of the voter; that the legislator is responsive to him, and that the voter means you.

“And yet you have some doubts. You are not sure why. And they are well founded. If it is so easy as all that, why isn’t it done? you say. But you have had the answer to that, too, tonight. You know now that while this mighty power is always in the voter’s hands, he can rarely be roused to exercise it; and you see, I think, that there is never going to be any millennium, any Golden Age, in which the voter as a class will be roused out of his torpor. He can be roused, he is roused, but, as Gladstone says, he is ‘sure after a little while to sink back into his slumber.’

“So, for the few who are willing to take their duty seriously and try to perform it well, the conflict is eternal. You must resign yourself to that. If you don’t like the prospect, you can

avoid it by simply shirking your duty. You can refuse to vote at the primaries, to study up public questions, to acquaint yourself with what is going on, to take part in organized movements for improving conditions. You can satisfy yourself by merely going to the polls once a year, as most men do, and casting a haphazard vote without really knowing why; you can even, as many men and women do, stay away from the polls.

“But if you do this, I hope you will have the decency not to complain about the results. I hope you will have the decency not to whine about corruption in politics, about the city being badly ruled, about the Government being inefficient or tyrannical. I hope you will never growl about the streets being dirty, or the death-rate too high, or your taxes unfair, or vice open and flaunting, or anything. For it will be your fault. It will not be because Bosses are wicked or politicians greedy or politics a cesspool; it will be because you yourself did not take the trouble to avert these things. Or that you took the trouble at one election, and then, well satisfied with yourself, lost interest in politics and let it go at that.

“You have got to keep it up all your life. That is what the ballot means. It isn't a toy, it's a spade. It isn't a game, it's a job. You have



been demanding the right of the ballot, or the privilege of the ballot; what you have got is the duty of the ballot, the task of the ballot. You can dodge it if you want to. Most men do. They vote, it is true, but their votes are not worth much, because they do nothing but vote. You can follow their example. Many of your sisters do, in the States where women already vote. Only, if you do follow man's bad example, please set him a good one in another way by having enough self-respect not to scream about the bad government you have given yourself."

"And don't forget, either," said the Politician, "that the fault may be the voter's not only indirectly, but directly. It may be not merely that the voter is indifferent to the moral issue of the moment, but that he is wide-awake and on the wrong side of it. In that case the politicians are merely executing his will, and it is lost energy to thwack them for his doing. Your job then is not to punish the politicians, but to shame and convert the majority of the people. And, to the credit of the people, that can nearly always be done, though it may take a very long time. The people are not saints, and as a general rule the politicians in any given community usually represent them fairly well, for better or worse.

“In Chicago, Hinky Dink and Bathhouse John have not imposed their rule by force on a protesting community of angels; they represent their people, and the introduction of woman suffrage into Illinois didn’t make any difference with their rule, even though a woman once did run for Alderman in one of their districts. For, you see, the women of those districts felt about it just as the men did; Hinky Dink and Bathhouse John were good enough for them, though they might not be good enough for you.”

“Let me add my little moral,” said the ex-Congressman: “If you want to be efficient in exercising your new duties, don’t entertain the idea that public officials are divided into two classes, the Good and the Bad. There are very few villains and angels in private life, and there are very few in Congress. Hardly anybody you know is all black or all white; the prevailing color is gray. It’s so in the Legislature.

“I remember a friend of mine, a settlement worker, who came to Washington, and I took him into the gallery and pointed out the notables to him. After each name he would ask, ‘Is he a good man?’ and I would answer, ‘He’s very efficient in his line,’ or ‘He doesn’t cut much figure down here.’ But after a while it dawned on me that

he and I were thinking of entirely different things. When you say in Washington that a Congressman is a good man you mean that he is capable, effective. But I saw that my friend had it in his mind that Congress was divided sharply into two camps: one consisting of faithful friends of the people, the other consisting of slimy tools of infamy.

“It isn't so, either there or at the State Capitol, or here on this block, or anywhere in the world. When any considerable number of folks are agitating for a reform they usually denounce all the legislators who don't agree with them in some such terms. It is a method that has its uses; what a reform needs to make it succeed is popular indignation, and you can never make people indignant by saying, ‘The politicians who are opposing our reform are a well-intentioned set of men, but they don't understand the matter as we do.’ No, but you can work up the required amount of indignation easily if you say, ‘The politicians who are opposing us are a set of scoundrels who have sold themselves to the Swivel Trust.’

“Nevertheless, while that mode of attack is effective so far as the particular reform you are pushing is concerned, its steady practice doesn't make you efficient for good government in the broader way. I would like to see you intelligently effective for

good, not narrowly effective in one matter where your effectiveness was gained in a way I despise. And to be truly effective one must be guided by the truth; and the truth is that politicians and legislators are not divided into two armies, one commanded by the Angel Gabriel and one by Satan. Not one bit more than the rest of us."

"How about your moral?" said Anna, turning to the Correspondent, with a smile. "They've all given one but you."

"I didn't intend to make any," he said. "But if I must, then let me say that this Government is to be what you make it, as the Lawyer has said, and that as it is today it is what we have been making it for thirteen decades. Each generation has brought its contribution to the making of the house wherein we live. The house will never be a finished form: it will always be undergoing change. But hitherto the changes have always been made in one direction: story has been built on story, addition has been made to addition, and never but once has there been an attempt to destroy any of it, never in our history has there been an attempt to raze it to the foundations and build anew.

"The old house that I was born in is dear to me; and it has been dear to all the generations that

have lived and died in it. They have changed its structure, sometimes rudely, but they have always had a saving love for the edifice itself, and the hands they have raised have never been raised in hostility. Today there is a different spirit in the land, a spirit which sees nothing of value in the old house, which sees only the ground under the house. Those who have this spirit did not grow up in the old house, have no ties with it, feel nothing of the influence of its associations. They step into it full grown, look at it with appraising eyes, and conclude that it must be torn down and a new and scientific structure must be put up at once on its ruins.

“I do not blame them. They come from other lands, and to them the house is not a home, but just a building. You will meet this spirit before you have journeyed very far in politics. You have doubtless met it already. I do not blame them, but if I were a new voter I should face that spirit firmly and say to it: ‘This old house has undergone incessant change since it was put up at Philadelphia in 1787, and wherever change can improve it, I am for change still; but destroy it I will not, no matter how fair the picture you paint of the shining castle you wish to erect on its site. This old house of the Constitution is mine in trust,

and I will no more consent to its wrecking than I would consent to burn up its memories.””

The Correspondent spoke slowly and gravely. There was a moment's silence. He looked up and glanced around the circle, and then turned to go.

“That is what I would say,” he ended, “to the American Bolsheviki.”



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