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THE POWER OF THE SENATE.

SHORTLY before daybreak, in the closing night of the session of the Congress which came to an end on the 4th of last March, Mr. Cannon made a remarkable speech. One of the great appropriation bills of vital importance to the government was in conference between the two Houses. Unless it should pass before twelve o'clock on that day it would be necessary to have an extra session, or the wheels of some of the great governmental departments would be stopped. A Senator had delivered an ultimatum that an ancient claim of his state should be fastened upon the bill, or, as an alternative, he would talk until the end of the session and defeat the measure. Under the rules of the Senate it was clearly in the power of one Senator to carry on, as long as his physical strength would last, the appearance of debate, which would in no fair sense be debate at all, but simply a forcible stopping of the legislative machine. Mr. Cannon very unwillingly consented to pay the price demanded, but he declared with emphasis that the Senate should change its procedure, or that another body, "backed up by the people, will compel that change, else this body, close to the people, shall become a mere tender, a mere bender of the pregnant hinges of the knee to submit to what any one member of another body may demand of this body as a price for legislation."

Such instances of the effect of the rules of the Senate are by no means rare. Perhaps one more strikingly illustrat-

ing not merely the tendency to efface the House as a legislative body but also the overthrow of the rule of the majority in the Senate itself was seen two years ago. The River and Harbor Bill, after a protracted consideration on the part of both Houses and of their committees, and after passing both Houses in its substantial form, had reached its last stage in the report of the conference committee within less than twenty hours of the final adjournment of the Congress. An unsuccessful attempt had been made to attach to the bill, to which it bore no relation, an irrigation scheme involving scores of millions of dollars. A Senator who had the irrigation project much at heart determined to defeat the bill. It did not appeal to him that the measure had received the careful attention and approval of both Houses. The rules of the Senate permitted him, under the guise of debate, to consume all the remaining time of the session. He took the floor against the measure. To talk against time for twenty hours demands qualities which few, if any, of the greatest parliamentary orators have possessed. The "debate" which followed afforded a rare display of physical endurance. The Senator demonstrated his capacity to defeat the bill, and, to save the little time that was left to the Senate for the transaction of other urgent public business, the supporters of the bill surrendered and withdrew it from consideration.

It is scarcely a conclusive answer to

indulge in the time-honored epithet and say that the measure in question was a "River and Harbor steal." Very little public money is expended with greater benefit to the people of the country at large than the money which is spent to deepen the rivers and improve the harbors along the oceans and the Great Lakes. Some portion of it doubtless is mere waste, and never should be appropriated at all. A large proportion of that waste is due to the fact that some Senators, like the one to whom I have just referred, with small states behind them, but with the same power as Senators from the great taxpaying states, are careful that their localities shall receive their share of the public money, and their ingenuity expends itself in finding other objects for public bounty in default of oceans and navigable rivers. I shall subsequently refer, more fully, however, to the unequal character of the constitution of the Senate. I am only referring here to the effect of the Senate rules.

The House of Representatives may devote its time to the perfecting of a great measure which also receives the approval of a majority of the Senate, and then the measure is to be overthrown, and the labors of the House brought to naught unless consent is given to engraft upon it the pet scheme of some individual Senator to which the great majority of both bodies may be opposed. As much can be said for the freedom of debate which exists in the Senate as for the summary procedure which often prevails in the House, under which a vote is taken upon most important measures with practically no debate at all. But unless a change of the Senate rule is made, as applied to new matters sought to be put upon bills which have received in substance the approval of both Houses, the House of Representatives will be compelled to submit to the demands of individual Senators, and accept the principle of government by unanimous consent in-

stead of by majorities, or see necessary legislation fail of passage.

From the time of the adoption of the Constitution to the present day there have been frequent protests against the large measure of power possessed by the Senate, especially in view of the very unequal and very unrepresentative principle upon which that body is constituted, but its power appears to have fattened upon these protests, and to have been, on the whole, increasing. If, in spite of the constitution of the Senate, its power has been employed as a rule for the general good, it must be remembered that something can be said in favor of the most unequal system of government that has ever existed. The purest despotisms and the most exclusive oligarchies have frequently been responsive to popular opinion, and have often sheltered order and sometimes individual freedom. I shall take for granted, however, that the democratic idea, which our nation is supposed to represent, will be accepted without argument as applied to North America. Caution compels me to say "as applied to North America," for the government of the American people has decreed that the "consent-of-the-governed" declaration of our forefathers was either not a declaration of a principle at all, or had only a local application, and did not possess vitality across the seas.

The great and growing power of the Senate is not more odious on account of any degeneracy in its personnel. The lament of the degeneracy of the present as compared with the past is one of the oldest things one can find in history. There always have been, and there probably always will be, people in the world who disparage the times in which they live, — people who, as Macaulay said, are always painting a golden age which never existed save in their imaginations. I am not one of those who think that the talent in public life has declined. I believe it is true that, on the whole, even the national

Congress for the last ten years will compare very favorably with the national Congress of any other time in our history. Some exceptionally great figures may depart from one House or the other and be greatly missed for a time, but the average of membership maintains itself very fairly. If I were dealing with the House of Representatives, I could cite many names from the last decade of its history that would show the strength of its membership, — statesmen like Reed and Dingley and Wilson, orators like Cockran and Dalzell and Bryan, debaters like Turner, Cannon, Hepburn, and Crisp. But I am dealing with the Senate. It contains in its present membership one, whose name will readily occur to all, who will pass into history as among the three or four greatest statesmen who ever had a place in that body. When has it had, since the days of Douglas certainly, a more accomplished debater than Spooner, or a more pungent and brilliant speaker than Vest; or when has it ever had more tactful and discerning leaders than Allison and Aldrich? And the list of striking figures might easily be made longer.

Select for the purpose of comparison the debates of the Convention which formulated our national Constitution, — a body of very great eminence in history, the virtues of which it would be little short of treason to disparage. Those debates had a very competent and dispassionate reporter. He did not write shorthand, and for that reason did not always preserve the dilutions that would have the effect of weakening what was said. I imagine no one would question that Mr. Madison was, of all men, fitted to report the substance of a great political debate, and yet careful readers of his report have doubtless observed that gentlemen in the Convention who have left sounding names sometimes talked like sophomores; that others had very crude and undigested notions of government, and that only occasionally would a man be found who spoke with

the pith and weight of Dr. Franklin, whose speeches impress one very much as speeches made in our modern House of Representatives by Mr. Thomas B. Reed. The Convention which framed the Constitution was one of the most memorable assemblages of all time. On the other hand, there is hardly one so poor to do the latter-day Congress reverence. But let any one infatuated by the theory of modern degeneracy compare the great debate in the Convention with any of the most important debates in Congress in the last decade. In wisdom, in learning, in eloquence, and in a rich variety I think the comparison will not be to the disadvantage of the modern assembly.

The striking circumstance in connection with the power of the Senate is that it holds the commanding place at the centre of the government. It brings to mind the condition of things in Europe under the feudal system, where the nobles had the position between the king and the people, and gradually encroached upon both until they were able to oppress both, — a condition which continued until a union was effected between the people and the sovereign, and the feudal system was finally overthrown. The Senate shares the powers of legislation with the House and some of the most important executive functions with the President. The latter is unable to appoint a collector or a postmaster, or even a member of his own official household, without the Senate's consent. Such important powers, exercised at the centre of the state, would naturally increase by encroachment upon both extremes, and they certainly would not diminish.

The course of the Revolution made it almost inevitable that in the Continental Congress, and in the Congress under the Articles of Confederation, the states should vote as a unit and exercise an equal authority; but when the time came to formulate the Constitution, the most enlightened of our statesmen were

strongly impressed with the idea that there could not be such a thing as a permanent free government established upon so unequal a principle. The question of the relative power of the large and small states in the new government became a pressing one. That was the rock upon which the Convention was more than once very nearly destroyed. In the long contest which ensued it must be admitted that the representatives of the small states played the better game and won upon almost all points. Their most effective resource was found in the ardent desire of the leading statesmen from the larger states to substitute a real national government for the mere shadow of a government that then existed, and they made the larger states pay a high price to obtain it. They secured an equal representation in the Senate, and they exaggerated the powers of that body by conferring upon it a great variety of important functions.

The large states made a determined stand upon the question of taxation. They insisted that the people and not the states paid the taxes, and that, as the larger states would yield more taxes than the smaller states, the representatives of the people, chosen substantially upon the basis of population, should have a peculiar control over revenue bills. Mr. Gerry well stated the prevailing idea of the time with reference to taxation when he said, "Taxation and representation are strongly associated in the minds of the people, and they will not agree that any but their immediate representatives shall meddle with their purses."

Although the representatives of the smaller states insisted upon an equal power even over revenue bills, they did not lack in thrift when it came to guarding themselves against liability to pay an equal share of the expenses of the government, and the Constitution accordingly provided that representation and direct taxes should be apportioned

among the states according to population.

An apparent concession, however, was finally made by the small states with regard to revenue bills, and I shall refer to it more fully hereafter, because it is the one point where I think the Senate, not satisfied with the great powers conferred upon it, has directly encroached upon the prerogatives of the House. Having secured the great grant of power in the Constitution, the smaller states then demanded a provision that that instrument should never be amended so as to take away the equal representation of the states in the Senate without the consent of every state, — something which obviously it would be impossible to obtain, and which was equivalent to providing that the Constitution, in that particular, should never be amended at all.

The constitution of the Senate was recognized, at the time of its establishment, as a violation of the democratic principle, but a violation which the peculiar conditions seemed to require, and I think it was never imagined that the inequality would not be limited to that which existed, or might grow out of the states at first forming the Union. While the Senate's constitutional powers have not changed, the course of events has greatly intensified their undemocratic character. The practical inequality originally was sufficiently bad, but, by the admission of so many new and small states, it has become almost intolerable. The original inequality bore heavily upon three states, yet was not essentially glaring with reference to the others; but to-day it is possible to select fifteen states having together in round numbers five millions of people, or about two thirds of the population of the state of New York. The senatorial representatives of those five millions would lack only a single vote of the number necessary to defeat some great treaty which the Senators of the other seventy millions might support. States having

less than one sixth of the population choose a majority of the entire Senate, while more than five sixths of the people of the country are represented by a minority in that body. The state of Nevada, under the last census, had less than forty-three thousand people. If New York were permitted to have the same proportional representation in the Senate, it would have some three hundred and fifty Senators. There are many things in the constitution of the Senate which are admirable. Such a conservative body is to-day of vital importance. The length of the term, the different method of choice from that of the Representatives, and the very gradual change in membership are highly valuable features. But none of its good features grows out of the great inequality of its constitution, giving one man in one section of the country the power of a hundred equally good men in another.

This exaggerated inequality, so utterly subversive of the American dogma of government, is undoubtedly the great fault in the constitution of the Senate. There is none of the common traditional attributes of aristocracy that enters into this situation. The theory of government which treats sovereignty as a mere possession, passing from father to son like any other species of property, at least has something human in it. But even the human element disappears entirely when a capricious bestowal of power is made upon a mere incorporation. If the owners of land and other property, the mercantile interests, and the workingmen are treated as classes and permitted to choose their representatives in the governing body, there is at least a representation of the diversity of interests with which legislation deals. And the proposition is not entirely lacking in force that individuals, separated from property or class interests, are affected in much the same way by legislation, and have a substantial identity of interests. In other words,

that the touch of nature will affect legislators when they pass laws concerning life and liberty to which they themselves will be subject; and that they are representatives in a stronger sense than if they exercised a mere delegated authority; but that when property and class rights are dealt with, the rapacity of one class should be held in check by the rapacity of another, and that there should be such a balance in the assembly that those broad interests which are weak in mere numbers should not be devoured by those that are strong. But what conceivable thing is there in the state of Nevada, estimable as her people doubtless are, to entitle one individual there to a hundred times as much weight in governing the country as is possessed by a man residing in New York or Pennsylvania or Illinois, or indeed to a particle greater weight? On any rational theory of government such inequality is unthinkable, unless, indeed, it be true that those having a particular occupation should exercise a special and almost potent control in governing the myriads of other occupations.

We have had recent illustrations that this system of inequality does not merely violate our ideals, but that it has serious practical results. Ten years ago, in consequence of concessions to the silver mining interests, the country had reached the verge of the precipice, and our financial system was at last almost at the point of falling upon the silver standard. Under the law requiring the government to purchase 4,500,000 ounces of silver bullion every month, gold was rapidly leaving the treasury, while its vaults were groaning under the great mass of silver. The spectacle was then witnessed of Senators from states, containing mining camps but comparatively few people, almost holding the balance of power, and, having an equal voice with that of the populous commercial states of the Union, struggling desperately to con-

tinue the fatal policy of the government purchase of silver. It was only by the inflexible and heroic conduct of the President, supported, as he chanced to be, by the great body of the party in opposition to him, that the most vital commercial interests of the great majority of the people and the financial honor of the nation as well were not sacrificed.

Other illustrations might be given, but they would only tend to prove what is axiomatic — that the Senators from the small states, as well as the Senators from the large states, will, as a rule, vote for those measures furthering the special interests of the states they represent. They would, I think, be accused of betraying their trust if they did less.

The great practical encroachment of the power of the Senate beyond its fair constitutional limits is seen in connection with bills relating to taxation. The chief concession in the formation of the Constitution was that by which the large states were given at least the appearance of a special power over taxation in proportion to their population as a set-off against the great proportional powers given the small states through their equal representation in the Senate. The small states, however, on the basis of population would possess entire equality with the large states, and it would certainly be no good ground for complaint that they should not be accorded the right to impose taxes for other people to pay. This compensating power is found in that clause of the Constitution providing that all bills for raising revenue shall originate in the House of Representatives, reserving to the Senate the right to propose or concur with amendments as on other bills. Unless a substantial power was intended to be conferred by this clause, the contemporary construction put upon it by the Federalist, in a paper written either by Madison or Hamilton, was strikingly erroneous. "Admitting,

however," says the author of this paper, "that they should all be insufficient to subdue the unjust policy of the smaller states, or their predominating influence in the councils of the Senate, a constitutional and infallible recourse still remains with the larger states by which they will be able at all times to accomplish their just purposes. The House of Representatives can not only refuse, but they alone can propose the supplies requisite for the support of government. They, in a word, hold the purse, — that powerful instrument by which we behold, in the history of the British Constitution, an infant and humble representative of the people gradually enlarging the sphere of its activity and importance, and finally reducing, so far as it seems to have wished, all the overgrown prerogatives of the other branches of the government. This power of the purse may, in fact, be regarded as the most complete and effectual weapon with which any constitution can arm the immediate representatives of the people for obtaining a redress of every grievance, and for carrying into effect every just and salutary measure."

But what would this power amount to if the imposition of a tax upon a single article would confer upon the Senate the right to go over the whole range of taxes and construct any sort of a bill it desired? By giving such an interpretation to the meaning of the exception the great power itself is practically destroyed. At the time of the framing of the Constitution there was no such thing known as amendment by complete substitution, and the fair construction of that clause, having reference to the conditions surrounding its adoption, is that if the House should send a bill to the Senate imposing a tax upon an article, the Senate might amend by raising or diminishing the proposed tax as it saw fit. It was such an abuse of the right of amendment as to destroy the power to originate taxation laws, when the Senate, as it did in 1872,

substituted for a House bill relating to a tax on coffee a general revision of the tariff. The Senate's action at that time called out a protest from Garfield, who had deeply studied this subject, and who contributed to it one of the most notable efforts of his career in Congress. Garfield held that the action of the Senate in the case cited was an abuse, and that its action should be confined substantially to the subjects in the House bill. He declared that the action of the Senate invaded "a right which cannot be surrendered without inflicting a fatal wound upon the integrity of our whole system of government." No hard and fast rule can be set up in such a case, but it is a question of prerogative, and each body should respect the constitutional prerogatives of the other. Surely the body representing the people should struggle for its own.

The great Senators have almost uniformly contended for a broad construction of the prerogative of the House. Webster held that it was purely a question of privilege, and that the decision of it belonged to the House. Benton, who belonged to the opposite political party, in the same debate declared that "in all cases of doubtful jurisdiction between the Houses my rule is to solve the doubt in favor of the House, which, by the Constitution, is charged with the general subject. Taxation and representation go together. The burdens of the people and the representation of the people are put together. An important and full representation of the people is in the House of Representatives." Sumner, Wilson, Seward, and Hoar have also declared in the Senate for a broad construction of the prerogative of the House.

It has been said that the Senate will construct a better tariff than the House. The framers of the Constitution, and especially its great interpreter, Hamilton, did not foresee in its full force the influence of special great interests in framing tariff laws. It is for the

benefit of those interests, sometimes pressing for governmental protection and sometimes for governmental indifference, to have tariffs constructed by a few men, responsible practically to no great body of public opinion, as many of them as possible with small constituencies, so that after having protected the interests of those they particularly represent, they might be unattached and without special electoral responsibility. A scrutiny of the recent bills relating to taxation will show that the House bills have usually been drawn upon more popular lines. Take the repeal of some of the war revenue taxes two years ago, when the House of Representatives sent to the Senate a bill, the chief feature of which was the removal of nearly all the troublesome and vexatious stamp taxes which had been imposed upon almost all the instrumentalities of trade. The tax upon bank checks, insurance policies, real estate conveyances, and similar taxes of a wide application were removed by the House bill. The Senate, under the guise of its power to amend, struck out all after the enacting clause of the House bill, and substituted a measure of its own. The distinguishing feature of the Senate bill was an extension of the amount of the reduction of the tax on beer and tobacco by about twelve millions, and to enable this to be done, it retained many of the stamp taxes which the House bill removed, and especially the stamp tax upon checks. The tax upon checks was a direct tax upon hundreds of thousands of people, and was not of sufficient importance to any individual, vexatious though it might be, to lead him to make any special effort for its repeal. On the other hand, the millions which were remitted upon beer went to a very small class who had so much at stake as to warrant an extraordinary effort. The House repeal was in favor of the great number, and the Senate repeal was in favor of the few.

It does not require a close study

of the tariff laws of the last twenty years to lead to the conclusion that, although special interests have fully as much consideration shown them in the House of Representatives as they should have, yet the Senate has been the citadel of those interests. The representatives are reached directly by the people who pay the taxes and can be visited with public indignation, while the Senators in some instances at least are for all practical purposes irresponsible to the taxpayer.

The question primarily is not one of wise or unwise laws, or whether small states do not often have strong Senators, while large states have weak ones. It involves a principle which is not disregarded even in a constitutional monarchy like Germany. It involves the principle of one set of men imposing taxes for another set of men to pay, and if the House of Representatives would insist, as some of its greatest members have advised, upon a broad and fair construction of its prerogatives, we should be upon a platform more consistent with the principles of sound government. We should, I am sure, have laws of taxation formulated upon more popular lines. The masses would suffer less for the benefit of the great special interests, and there would be some compensation to the large states, and to the people who are directly represented, for the extraordinary powers conferred upon the Senate.

The notable struggle over taxation in the Parliament of Great Britain, which must have been in the minds of the framers of the Constitution, should be of decisive weight in upholding the prerogative of the House. That struggle, continuing for centuries, had just been brought to an end at the time of our Revolution, and had resulted in a signal victory for the English Commons. It had secured to them the complete control over all matters of taxation. The question of taxation was the one out of which the Revolution ori-

ginated. That Revolution was the assertion by the people who paid the taxes of the right to say what taxes should be imposed. Surely if the construction of our Constitution upon this point were doubtful the course of events in Great Britain and the Colonies would make it clear.

By a sort of attraction of gravitation the great powers of the Senate increase by drawing other powers to them, and this species of expansion is especially seen in the tendency to confer special official functions upon the Senators individually. Take the negotiation of the treaty of peace with Spain in 1898, which was, in effect, a treaty of war rather than of peace, and which embarked us upon a policy nobody contemplated when we entered upon the war for the liberation of Cuba. Of the five commissioners who were appointed to negotiate that treaty, three were Senators. That is not an exceptional instance, but it is becoming the rule. A more recent illustration is found in the appointment of the commission, soon to meet, to decide the Alaskan boundary dispute, a tribunal which, under the agreement, was to be composed of impartial jurists of repute. Two of the three American members of the commission were chosen from the Senate. We may concede to those two Senators the utmost their warmest friends could claim for them, and yet there is no danger in the assertion that there are plenty of other jurists in the country as impartial and of as high repute. If there were a paucity of American talent, or if the great part of it were concentrated in the Senate, then it might be desirable to fill such places, which, for all essential purposes, are offices, from the membership of the Senate. But there is certainly no such lack of talent in private life as to call for a duplication of parts in the play, or for imposing on Senators important public functions in addition to those belonging to their own office. Mr. Hay

had not been conspicuous as a public man before the first election of Mr. McKinley. The public career of Mr. Richard Olney had been limited to a term in the Massachusetts legislature before he rendered his notable service in the Cabinet of President Cleveland. I think neither Mr. Gage nor Mr. Root nor yet Mr. Knox had ever held important public office before he entered President McKinley's Cabinet. Scores of instances can be found where men of little or no experience in the public service have been selected to fill the most important offices, and have infused new strength and energy into the government.

In a government which is a republic in anything but name the offices should be as widely distributed as is consistent with good administration, and the rich red blood which the country possesses in abundance should course through the channels of office. Even if the country were so poor in talent as to make it desirable to appoint Senators to such places, even if there were no impropriety in their negotiating treaties upon which they were to pass judgment as Senators, such appointments come perilously near being an infraction of the Constitution. A Senator is disqualified from holding any other office under the United States, and if it is not a most important office of government to determine in the first instance the great question of peace and war, or to settle a disputed boundary with another nation, then the term has an exceedingly narrow meaning.

The expansion of the power of the Senate in an undemocratic as well as an unconstitutional direction is also seen in the growing tendency to pass laws, and especially taxation laws, by treaty. Treaties are high contracts between nations, and it can hardly be believed that it was within the contemplation of the framers of the Constitution so elaborately to construct a legislative machine and at the same time to throw the whole

mechanism out of gear by a single clause regarding treaties, providing that the President and Senate might call in a foreign potentate and might make laws for the internal government of the United States. Treaties have the force of law, but they should obviously be within the fair scope of the treaty-making power. At any rate, it would scarcely be reasonable to claim that they set aside the Constitution, and if we are to regard the Senate as a part of two legislative machines, it cannot, as a part of either, do the things prohibited by the Constitution. Under that instrument revenue bills must originate in the House. How, then, can they originate by treaty? It would, indeed, be a curious spectacle, that of the Senate, composed in the way it is, sitting behind closed doors, and deciding in secret what taxes the American people are to pay.

The four years' term of the presidency is too short for a struggle with the Senate, and its part in executive transactions is so great that any such struggle would expose an administration to failure. The period of life of the House of Representatives is still shorter, and its term would be likely to come to an end before a contest between the two Houses would acquire any great momentum. The custom under which Representatives are expected to secure offices for their constituents, and thus to ask for senatorial favors, makes a contest between the two Houses less apt to occur. As I have said, an amendment to the Constitution depriving states of their equal membership in the Senate is not within the range of possibilities, as such an amendment would require the unanimous consent of all the states. It would be possible to pass an amendment in the ordinary way, reducing the powers of the Senate, but the friction of the amending machinery is so great that it would involve an intense and long continued pressure of public opinion to set it in motion. The only practical hope of even a partial

remedy lies in the jealous insistence by the House upon its constitutional prerogatives. If it should do that, it would be more likely to realize the advantage of its position in a nation imbued with the democratic idea. The doubtful powers of government would gravitate toward the House, our laws would become more popular in character, and would respond to broad and general needs in the community, while the character of the Senate as a conservative body would be unimpaired.

But things have drifted long enough. Nothing can be clearer than that in the long lapse of time institutions of government may be corrupted and become vastly different from their original character. Venice began her national career as a republic in fact, and for centuries was governed by elected rulers responsible to a popular assembly, but, while maintaining the name of republic, she came to have, in the Council of Ten, sitting in secret, or, as it might be called to-day, "in executive session," as despotic and cruel an oligarchy as ever existed. It might be said that we have the restraints of a written Constitution, and a Supreme Court to enforce them, but already we have heard made, not entirely without effect, that appeal to an utterly false national pride, "Is not the American government able to do anything that any other government can do?" as if that which has been accounted our glory, as if the restrictions in favor of freedom and against tyranny, even by the government itself,

were a defect and a badge of weakness. And in view of the tendency of recent decisions, how long may we expect the Supreme Court to remain the austere guardian of the Constitution against the encroachments of executive or congressional power? That court may not always be composed of Marshalls and Storys and Harlans, and what will become of the limitations of the Constitution if ever the high aery, about which the eagles of our jurisprudence once hovered, shall be held by the twittering judicial tomtit? At any rate, the preservation of our institutions in their purity requires that each branch of the political department of the government shall be the guardian of its own powers, and, without encroaching upon any other branch, shall stand firmly for its own prerogatives. Any determined conflict will be settled, not by mere popular clamor, but by public opinion. Popular clamor is often stirred up by an ardent cultivation of the galleries, and the sensation of yesterday is thrust aside and forgotten for the sensation of to-day. But the settled and potent public opinion, which is the product of patient discussion, and of the persistent education of the people, usually leads to policies in quite an opposite direction. When that shall be appealed to in any determined contest between the two Houses, it can scarcely be doubted that the decision will be in favor of those great principles of popular government which underlie the American Commonwealth.

S. W. McCull.

QUIXOTISM.

WHEN Falstaff boasted that he was not only witty himself but the cause of wit in other men, he thought of himself more highly than he ought to have thought. The very fact that he was witty prevent-

ed him from the highest efficiency in stimulating others in that direction. The atmospheric currents of merriment move irresistibly toward a vacuum. Create a character altogether destitute of humor