

PHASES OF STATE LEGISLATION.

THE ALBANY LEGISLATURE.

FEW persons realize the magnitude of the interests affected by State legislation in New York. It is no mere figure of speech to call New York the Empire State; and most of the laws directly and immediately affecting the interests of its citizens are passed at Albany, and not at Washington. In fact, there is at Albany a little Home Rule Parliament which presides over the destinies of a commonwealth more populous than any one of two-thirds of the kingdoms of Europe, and one which, in point of wealth, material prosperity, variety of interests, extent of territory, and capacity for expansion, can fairly be said to rank next to the powers of the first class. This little parliament, composed of one hundred and twenty-eight members in the Assembly and thirty-two in the Senate, is, in the fullest sense of the term, a *representative* body; there is hardly one of the many and widely diversified interests of the State that has not a mouth-piece at Albany, and hardly a single class of its citizens — not even excepting, I regret to say, the criminal class — which lacks its representative among the legislators. In the three Legislatures of which I have been a member, I have sat with bankers and brick-layers, with merchants and mechanics, with lawyers, farmers, day-laborers, saloon-keepers, clergymen, and prize-fighters. Among my colleagues there were many very good men; there was a still more numerous class of men who were neither very good nor very bad, but went one way or the other, according to the strength of the various conflicting influences acting around, behind, and upon them; and, finally, there were many very bad men. Still, the New York Legislature, taken as a whole, is by no means as bad a body as we would be led to believe if our judgment was based purely on what we read in the great metropolitan papers; for the custom of the latter is to portray things as either very much better or very much worse than they are. Where a number of men, many of them poor, some of them unscrupulous, and others elected by constituents too ignorant to hold them to a proper accountability for their actions, are put into a position of great temporary power, where they are called to take action upon questions affecting the welfare of large corporations and wealthy private individuals, the

chances for corruption are always great, and that there is much viciousness and political dishonesty, much moral cowardice, and a good deal of actual bribe-taking in Albany, no one who has had any practical experience of legislation can doubt; but, at the same time, I think that the good members always outnumber the bad, and that there is never any doubt as to the result when a naked question of right or wrong can be placed clearly and in its true light before the Legislature. The trouble is that on many questions the Legislature never does have the right and wrong clearly shown it. Either some bold, clever parliamentary tactician snaps the measure through before the members are aware of its nature, or else the obnoxious features are so combined with good ones as to procure the support of a certain proportion of that large class of men whose intentions are excellent but whose intellects are foggy.

THE CHARACTER OF THE REPRESENTATIVES.

THE representatives from different sections of the State differ widely in character. Those from the country districts are generally very good men. They are usually well-to-do farmers, small lawyers, or prosperous store-keepers, and are shrewd, quiet, and honest. They are often narrow-minded and slow to receive an idea; but, on the other hand, when they get a good one, they cling to it with the utmost tenacity. They form very much the most valuable class of legislators. For the most part they are native Americans, and those who are not are men who have become completely Americanized in all their ways and habits of thought. One of the most useful members of the last Legislature was a German from a western county, and the extent of his Americanization can be judged from the fact that he was actually an ardent prohibitionist: certainly no one who knows Teutonic human nature will require further proof. Again, I sat for an entire session beside a very intelligent member from northern New York before I discovered that he was an Irishman; all his views of legislation, even upon such subjects as free schools and the impropriety of making appropriations from the treasury for the support of sectarian institutions, were precisely similar to those of his Protestant American neighbors, though he was himself a Cath-

olic. Now a German or an Irishman from one of the great cities would have retained most of his national peculiarities.

It is from these same great cities that the worst legislators come. It is true that there are always among them a few cultivated and scholarly men who stand on a higher and broader intellectual and moral plane than even the country members; but the bulk are very low indeed. They are usually foreigners, of little or no education, with exceedingly misty ideas as to morality, and possessed of an ignorance so profound that it could only be called comic, were it not for the fact that it has at times such serious effects upon our laws. It is their ignorance, quite as much as actual viciousness, which makes it so difficult to procure the passage of good laws or prevent the passage of bad ones; and it is the most irritating of the many elements with which we have to contend in the fight for good government.

DARK SIDE OF THE LEGISLATIVE PICTURE.

MENTION has been made above of the bribetaking which undoubtedly at times occurs in the New York Legislature. This is what is commonly called "a delicate subject" with which to deal, and, therefore, according to our usual methods of handling delicate subjects, it is either never discussed at all, or else discussed with the grossest exaggeration; but most certainly there is nothing about which it is more important to know the truth.

In each of the last three Legislatures there were a number of us who were interested in getting through certain measures which we deemed to be for the public good, but which were certain to be strongly opposed, some for political and some for pecuniary reasons. Now, to get through any such measure requires genuine hard work, a certain amount of parliamentary skill, a good deal of tact and courage, and, above all, a thorough knowledge of the men with whom one has to deal, and of the motives which actuate them. In other words, before taking any active steps, we had to "size up" our fellow legislators, to find out their past history and present character and associates, to find out whether they were their own masters or were acting under the directions of somebody else, whether they were bright or stupid, etc., etc. As a result, and after very careful study, conducted purely with the object of learning the truth, so that we might work more effectually, we came to the conclusion that about a third of the members were open to corrupt influences in some form or other; in certain sessions the proportion was greater, and in some less. Now it

would, of course, be impossible for me or for any one else to prove in a court of law that these men were guilty, except perhaps in two or three cases; yet we felt absolutely confident that there was hardly a case in which our judgment as to the honesty of any given member was not correct. The two or three exceptional cases alluded to, where legal proof of guilt might have been forthcoming, were instances in which honest men were approached by their colleagues at times when the need for votes was very great; but, even then, it would have been almost impossible to punish the offenders before a court, for it would have merely resulted in his denying what his accuser stated. Moreover, the members who had been approached would have been very reluctant to come forward, for each of them felt ashamed that his character should not have been well enough known to prevent any one's daring to speak to him on such a subject. And another reason why the few honest men who are approached (for the lobbyist rarely makes a mistake in his estimate of the men who will be apt to take bribes) do not feel like taking action in the matter is that a doubtful lawsuit will certainly follow, which will drag on so long that the public will come to regard all of the participants with equal distrust, while in the end the decision is quite as likely to be against as to be for them. Take the *Bradly-Sessions* case, for example. This was an incident that occurred at the time of the faction-fight in the Republican ranks over the return of Mr. Conkling to the Senate after his resignation from that body. *Bradly*, an assemblyman, accused *Sessions*, a State senator, of attempting to bribe him. The affair dragged on for an indefinite time; no one was able actually to determine whether it was a case of blackmail on the one hand, or of bribery on the other; the vast majority of people recollected the names of both parties, but totally forgot which it was that was supposed to have bribed the other, and regarded both with equal disfavor; and the upshot has been that the case is now merely remembered as illustrating one of the most unsavory phases of the famous *Half-breed-Stalwart* fight.

DIFFICULTIES OF PREVENTING AND PUNISHING CORRUPTION.

FROM the causes indicated, it is almost impossible to actually convict a legislator of bribetaking; but, at the same time, the character of a legislator, if bad, soon becomes a matter of common notoriety, and no dishonest legislator can long keep his reputation good with honest men. If the constituents

wish to know the character of their member, they can easily find it out, and no member will be dishonest if he thinks his constituents are looking at him; he presumes upon their ignorance or indifference. I do not see how bribe-taking among legislators can be stopped until the public conscience, which is, even now, gradually awakening, becomes *fully* awake to the matter. Then it will stop fast enough; for just as soon as politicians realize that the people are in earnest in wanting a thing done, they make haste to do it. The trouble is always in rousing the people sufficiently to make them take an *effective* interest, — that is, in making them sufficiently in earnest to be willing to give a little of their time to the accomplishment of the object they have in view.

Much the largest percentage of corrupt legislators come from the great cities; indeed, the majority of the assemblymen from the great cities are "very poor specimens" indeed, while, on the contrary, the congressmen who go from them are generally pretty good men. This fact is only one of the many which go to establish the curious political law that in a great city the larger the constituency which elects a public servant, the more apt that servant is to be a good one; exactly as the mayor is almost certain to be infinitely superior in character to the average alderman, or the average city judge to the average civil justice. This is because the public servants of comparatively small importance are protected by their own insignificance from the consequences of their bad actions. Life is carried on at such a high pressure in the great cities, men's time is so fully occupied by their manifold and harassing interests and duties, and their knowledge of their neighbors is necessarily so limited, that they are only able to fix in their minds the characters and records of a few prominent men; the others they lump together without distinguishing between individuals. They know whether the aldermen, as a body, are to be admired or despised; but they probably do not even know the name, far less the worth, of the particular alderman who represents their district; so it happens that their votes for aldermen or assemblymen are generally given with very little intelligence indeed, while, on the contrary, they are fully competent to pass and execute judgment upon as prominent an official as a mayor or even a congressman. Hence it follows that the latter have to give a good deal of attention to the wishes and prejudices of the public at large, while a city assemblyman, though he always talks a great deal about the people, rarely, except in certain extraordinary cases, has to pay much

heed to their wants. His political future depends far more upon the skill and success with which he cultivates the good-will of certain "bosses," or of certain cliques of politicians, or even of certain bodies and knots of men (such as compose a trade-union, or a collection of merchants in some special business, or the managers of a railroad) whose interests, being vitally affected by Albany legislation, oblige them closely to watch, and to try to punish or reward, the Albany legislators. These politicians or sets of interested individuals generally care very little for a man's honesty so long as he can be depended upon to do as they wish on certain occasions; and hence it often happens that a dishonest man who has sense enough not to excite attention by any flagrant outrage may continue for a number of years to represent an honest constituency.

THE CONSTITUENTS LARGELY TO BLAME.

MOREOVER, a member from a large city can often count upon the educated and intelligent men of his district showing the most gross ignorance and stupidity in political affairs. The much-lauded intelligent voter — the man of cultured mind, liberal education, and excellent intentions — at times performs exceedingly queer antics.

The great public meetings to advance certain political movements irrespective of party, which have been held so frequently during the past few years, have undoubtedly done a vast amount of good; but the very men who attend these public meetings and inveigh against the folly and wickedness of the politicians will sometimes on election day do things which have quite as evil effects as any of the acts of the men whom they very properly condemn. A recent instance of this is worth giving. In 1882 there was in the Assembly a young member from New York, who did as hard and effective work for the city of New York as has ever been done by any one. It was a peculiarly disagreeable year to be in the Legislature. The composition of that body was unusually bad. The more disreputable politicians relied upon it to pass some of their schemes and to protect certain of their members from the consequences of their own misdeeds. Demagogic measures were continually brought forward, nominally in the interests of the laboring classes, for which an honest and intelligent man could not vote, and yet which were jealously watched by, and received the hearty support of, not only mere demagogues and agitators, but also a large number of perfectly honest though misguided working men. And, finally, certain wealthy corpora-

tions attempted, by the most unscrupulous means, to rush through a number of laws in their own interest. The young member we are speaking of incurred by his course on these various measures the bitter hostility alike of the politicians, the demagogues, and the members of that most dangerous of all classes, the wealthy criminal class. He had also earned the gratitude of all honest citizens, and he got it—as far as words went. The better class of newspapers spoke well of him; cultured and intelligent men generally—the well-to-do, prosperous people who belong to the different social and literary clubs, and their followers—were loud in his praise. I call to mind one man who lived in his district who expressed great indignation that the politicians should dare to oppose a reelection; when told that it was to be hoped he would help to insure the legislator's return to Albany by himself staying at the polls all day, he answered that he was very sorry, but he unfortunately had an engagement to go quail-shooting on election-day! Most respectable people, however, would undoubtedly have voted for and reelected the young member had it not been for the unexpected political movements that took place in the fall. A citizens' ticket, largely non-partisan in character, was run for certain local offices, receiving its support from among those who claimed to be, and who undoubtedly were, the best men of both parties. The ticket contained the names of candidates only for municipal offices, and had nothing whatever to do with the election of men to the Legislature; yet it proved absolutely impossible to drill this simple fact through the heads of a great many worthy people, who, when election-day came round, declined to vote anything but the citizens' ticket, and persisted in thinking that if no legislative candidate was on the ticket, it was because, for some reason or other, the citizens' committee did not consider any legislative candidate worth voting for. All over the city the better class of candidates for legislative offices lost from this cause votes which they had a right to expect, and in the particular district under consideration the loss was so great as to cause the defeat of the sitting member, or rather to elect him by so narrow a vote as to enable an unscrupulously partisan legislative majority to keep him out of his seat.

It is this kind of ignorance of the simplest political matters among really good citizens, combined with their timidity, which is so apt to characterize a wealthy *bourgeoisie*, and with their short-sighted selfishness in being unwilling to take the smallest portion of time away from their business or pleasure to devote to

public affairs, which renders it so easy for corrupt men from the city to keep their places in the Legislature. In the country the case is different. Here the constituencies, who are usually composed of honest though narrow-minded and bigoted individuals, generally keep a pretty sharp lookout on their members, and, as already said, the latter are apt to be fairly honest men. Even when they are not honest, they take good care to act perfectly well as regards all district matters, for most of the measures about which corrupt influences are at work relate to city affairs. The constituents of a country member know well how to judge him for those of his acts which immediately affect themselves; but, as regards others, they often have no means of forming an opinion, except through the newspapers,—more especially through the great metropolitan newspapers,—and they have gradually come to look upon all statements made by the latter with reference to the honesty or dishonesty of public men with extreme distrust. This is because the newspapers, including those who professedly stand as representatives of the highest culture of the community, have been in the habit of making such constant and reckless assaults upon the characters of public men, even fairly good ones, as to greatly detract from their influence when they attack one who is really bad.

PERILS OF LEGISLATIVE LIFE.

HOWEVER, there can be no question that a great many men do deteriorate very much morally when they go to Albany. The last accusation most of us would think of bringing against that dear, dull, old Dutch city is that of being a fast place; and yet there are plenty of members coming from out-of-the-way villages or quiet country towns on whom Albany has as bad an effect as Paris sometimes has on wealthy young Americans from the great seaboard cities. Many men go to the Legislature with the set purpose of making money; but many others, who afterwards become bad, go there intending to do good work. These latter may be well-meaning, weak young fellows of some shallow brightness, who expect to make names for themselves; perhaps they are young lawyers, or real-estate brokers, or small shopkeepers; they achieve but little success; they gradually become conscious that their business is broken up, and that they have not enough ability to warrant any expectation of their continuing in public life; some great temptation comes in their way (a corporation which expects to be relieved of perhaps a million dollars of taxes by the passage of a bill

can afford to pay high for voters); they fall, and that is the end of them. Indeed, legislative life has temptations enough to make it unadvisable for any weak man, whether young or old, to enter it.

ALLIES OF VICIOUS LEGISLATORS.

THE array of vicious legislators is swelled by a number of men who really at bottom are not bad. Foremost among these are those most hopeless of beings who are handicapped by having some measure which they consider it absolutely necessary for the sake of their own future to "get through." One of these men will have a bill, for instance, appropriating a sum of money from the State Treasury to clear out a river, dam the outlet of a lake, or drain a marsh; it may be, although not usually so, proper enough in itself, but it is drawn up primarily in the interest of a certain set of his constituents who have given him clearly to understand that his continuance in their good graces depends upon his success in passing the bill. He feels that he must get it through at all hazards; the bad men find this out, and tell him he must count on their opposition unless he consents also to help their measures; he resists at first, but sooner or later yields; and from that moment his fate is sealed,—so far as his ability to do any work of general good is concerned.

A still larger number of men are good enough in themselves, but are "owned" by third parties. Usually the latter are politicians who have absolute control of the district machine, or who are, at least, of very great importance in the political affairs of their district. A curious fact is that they are not invariably, though usually, of the same party as the member; for in some places, especially in the lower portions of the great cities, politics become purely a business; and in the squabbles for offices of emolument it becomes important for a local leader to have supporters among all the factions. When one of these supporters is sent to a legislative body, he is allowed to act with the rest of his party on what his chief regards as the unimportant questions of party or public interest, but he has to come in to heel at once when any matter arises touching the said chief's power, pocket, or influence.

Other members will be controlled by some wealthy private citizen who is not in politics, but who has business interests likely to be affected by legislation, and who is, therefore, willing to subscribe heavily to the campaign expenses of an individual or of an association so as to insure the presence in Albany of some

one who will give him information and assistance.

On one occasion there came before a committee of which I happened to be a member a perfectly proper bill in the interest of a certain corporation; the majority of the committee, six in number, were thoroughly bad men, who opposed the measure with the hope of being paid to cease their opposition. When I consented to take charge of the bill, I had stipulated that not a penny should be paid to insure its passage. It therefore became necessary to see what pressure could be brought to bear on the recalcitrant members; and, accordingly, we had to find out who were the authors and sponsors of their political being. Three proved to be under the control of local statesmen of the same party as themselves, and of equally bad moral character; one was ruled by a politician of unsavory reputation from a different city; the fifth, a Democrat, was owned by a Republican Federal official; and the sixth by the president of a horse-car company. A couple of letters from these two magnates forced the last members mentioned to change front on the bill with surprising alacrity.

There are two classes of cases in which corrupt members get money. One is when a wealthy corporation buys through some measure which will be of great benefit to itself, although, perhaps, an injury to the public at large; the other is when a member introduces a bill hostile to some moneyed interest, with the expectation of being paid to let the matter drop. The latter, technically called a "strike," is much the most common; for, in spite of the outcry against them in legislative matters, corporations are more often sinned against than sinning. It is difficult, for reasons already given, in either case to convict the offending member, though we have very good laws against bribery. The reform has got to come from the people at large. It will be hard to make any very great improvement in the character of the legislators until respectable people become more fully awake to their duties, and until the newspapers become more truthful and less reckless in their statements.

It is not a pleasant task to have to draw one side of legislative life in such dark colors; but as the side exists, and as the dark lines never can be rubbed out until we have manfully acknowledged that they are there and need rubbing out, it seems the falsest of false delicacy to refrain from dwelling upon them. But it would be most unjust to accept this partial truth as being the whole truth. We blame the Legislature for many evils the ultimate cause for whose existence is to be found in our own shortcomings.

THE OTHER SIDE OF THE PICTURE.

THERE is a much brighter side to the picture, and this is the larger side, too. It would be impossible to get together a body of more earnest, upright, and disinterested men than the band of legislators, largely young men, who during the past three years have averted so much evil and accomplished so much good at Albany. They were able, at least partially, to put into actual practice the theories that had long been taught by the intellectual leaders of the country. And the life of a legislator who is earnest in his efforts to faithfully perform his duty as a public servant, is harassing and laborious to the last degree. He is kept at work from eight to fourteen hours a day; he is obliged to incur the bitterest hostility of a body of men as powerful as they are unscrupulous, who are always on the watch to find out, or to make out, anything in his private or his public life which can be used against him; and he has on his side either a but partially roused public opinion, or else a public opinion roused, it is true, but only blindly conscious of the evil from which it suffers, and alike ignorant and unwilling to avail itself of the proper remedy.

This body of legislators, who, at any rate, worked honestly for what they thought right, were, as a whole, quite unselfish, and were not treated particularly well by their people. Most of them soon got to realize the fact that if they wished to enjoy their brief space of political life (and most though not all of them did enjoy it), they would have to make it a rule never to consider, in deciding how to vote upon any question, how their vote would affect their own political prospects. No man can do good service in the Legislature as long as he is worrying over the effect of his actions upon his own future. After having learned this, most of them got on very happily indeed. As a rule, and where no matter of principle is involved, a member is bound to represent the views of those who have elected him; but there are times when the voice of the people is anything but the voice of God, and then a conscientious man is equally bound to disregard it.

In the long run, and on the average, the public will usually do justice to its representatives; but it is a very rough, uneven, and long-delayed justice. That is, judging from what I have myself seen of the way in which members were treated by their constituents, I should say that the chances of an honest man being retained in public life were about ten per cent. better than if he were dishonest, other things being equal. This is not a showing very creditable to us as a people; and the

explanation is to be found in the shortcomings peculiar to the different classes of our honest and respectable voters,—shortcomings which may be briefly outlined.

SHORTCOMINGS OF THE PEOPLE WHO SHOULD TAKE PART IN POLITICAL WORK.

THE people of means in all great cities have in times past shamefully neglected their political duties, and have been contemptuously disregarded by the professional politicians in consequence. A number of them will get together in a large hall, will vociferously demand "reform," as if it were some concrete substance which could be handed out to them in slices, and will then disband with a feeling of the most serene self-satisfaction, and the belief that they have done their entire duty as citizens and members of the community. It is an actual fact that nine out of ten of our wealthy and educated men, of those who occupy what is called good social position, are really ignorant of the nature of a caucus or a primary meeting, and never attend either; and this is specially true of the young men. Now, under our form of government, no man can accomplish anything by himself; he must work in combination with others; and the men of whom we are speaking will never carry their proper weight in the political affairs of the country until they have formed themselves into some organization, or else, which would be better, have joined some of the organizations already existing. But there seems often to be a certain lack of virility, an unmanly absence of the robust virtues, in our educated men, which makes them shrink from the struggle and the inevitable contact with rude and unprincipled politicians (who often must be very roughly handled before they can be forced to behave), which must needs accompany all participation in American political life. Another reason why this class is not of more consequence in politics, is that it is often really out of sympathy — or, at least, its more conspicuous members are — with the feelings and interests of the great mass of the American people; for it is a sad and discreditable fact that it is in this class that what has been recently most aptly termed the "colonial" spirit still survives. There sometimes crops out among our educated men in politics the same curious feeling of dependence upon foreign opinion that makes our young men of fashion drive clumsy vehicles of English model, rather than the better-built and lighter American ones; and that causes a certain section of our minor novelists to write the most emasculated nonsense that ever flowed from American pens. Until this

survival of the spirit of colonial dependence is dead, those in whom it exists will serve chiefly as laughing-stocks to the shrewd, humorous, and prejudiced people who form nine-tenths of our body politic, and whose chief characteristics are their intensely American habits of thought, and their surly intolerance of anything like subservience to outside and foreign influences.

From different causes, the laboring classes, thoroughly honest of heart, often fail to appreciate honesty in their representatives. They are frequently not well informed in regard to the character of the latter, and they are apt to be led aside by the loud professions of the so-called labor reformers, who are always promising to procure by legislation the advantages which can only come to working men, or to any other men, by their individual or united energy, intelligence, and forethought. Very much has been accomplished by legislation for laboring men by procuring mechanics' lien laws, factory laws, etc.; and hence it often comes that they think legislation can accomplish all things for them, and it is only natural, for instance, that a certain proportion of their number should adhere to the demagogue who votes for a law to double the rate of wages, rather than to the honest man who opposes it. When people are struggling for the necessities of existence, and vaguely feel, whether rightly or wrongly, that they are also struggling against an unjustly ordered system of life, it is hard to convince them of the truth that an ounce of performance on their own part is worth a ton of legislative promises to change in some mysterious manner that life-system.

In the country districts justice to a member is somewhat more apt to be done. When, as is so often the case, it is not done, the cause is usually to be sought for in the numerous petty jealousies and local rivalries which are certain to exist in any small community whose interests are narrow and most of whose members are acquainted with each other; and besides this, our country vote is essentially a Bourbon or Tory vote, being very slow to receive new ideas, very tenacious of old ones, and hence inclined to look with suspicion upon any one who tries to shape his course according to some standard differing from that which is already in existence.

The actual work of procuring the passage of a bill through the Legislature is in itself far from slight. The hostility of the actively bad has to be discounted in advance, and the indifference of the passive majority, who are neither very good nor very bad, has to be overcome. This can usually be accomplished only by stirring up their constituencies; and so, besides the constant watchfulness over the

course of the measure through both houses and the continual debating and parliamentary fencing which is necessary, it is also indispensable to get the people of districts not directly affected by the bill alive to its importance, so as to induce their representatives to vote for it. Thus, when the bill to establish a State park at Niagara was on its passage, it was found that the great majority of the country members were opposed to it, fearing that it might conceal some land-jobbing scheme, and also fearing that their constituents, whose vice is not extravagance, would not countenance so great an expenditure of public money. It was of no use arguing with the members, and instead the country newspapers were flooded with letters, pamphlets were circulated, visits and personal appeals were made, until a sufficient number of these members changed front to enable us to get the lacking votes.

LIFE IN THE LEGISLATURE.

AS ALREADY said, some of us who usually acted together took a great deal of genuine enjoyment out of our experience at Albany. We liked the excitement and perpetual conflict, the necessity for putting forth all our powers to reach our ends, and the feeling that we were really being of some use in the world; and if we were often both saddened and angered by the viciousness and ignorance of some of our colleagues, yet, in return, the latter many times furnished us unwittingly a good deal of amusement by their preposterous actions and speeches. Some of these are really too good to be lost, and are accordingly given below. The names and circumstances, of course, have been so changed as to prevent the possibility of the real heroes of them being recognized. It must be understood that they stand for the exceptional and not the ordinary workings of the average legislative intellect. I have heard much more sound sense than foolishness talked in Albany, but to record the former would only bore the reader. And we must bear in mind that while the ignorance of some of our representatives warrants our saying that they should not be in the Legislature, it does not at all warrant our condemning the system of government which permits them to be sent there. There is no system so good that it has not some disadvantages. The only way to teach Paddy how to govern himself, and the only way to teach Sambo how to save himself from oppression, is to give each the full rights possessed by other American citizens; and it is not to be wondered at if they at first show themselves unskillful in the exercise of these rights. And it has been my experience

in the Legislature that when Paddy does turn out well, there are very few native Americans who are his equal. There were no better legislators in Albany than the two young Irishmen who successively represented one of the districts of Kings County; and when I had to name a committee which was to do the most difficult, dangerous, and important work that came before the Legislature at all during my presence in it, I chose three of my four colleagues from among those of my fellow-legislators who were Irish either by birth or descent. The best friend I have ever had or hope to have in politics, and the most disinterested, is an Irishman, and is also as genuine and good an American citizen as is to be found within the United States.

A good many of the Yankees in the house would blunder time and again; but their blunders were generally merely stupid and not at all amusing, while, on the contrary, the errors of those who were of Milesian extraction always possessed a most refreshing originality.

INCIDENTS OF LEGISLATIVE EXPERIENCE.

IN 1882 the Democrats in the house had a clear majority, but were for a long time unable to effect an organization, owing to a faction-fight in their own ranks between the Tammany and anti-Tammany members, each side claiming the lion's share of the spoils. After a good deal of bickering, the anti-Tammany men drew up a paper containing a series of propositions, and submitted it to their opponents, with the prefatory remark, in writing, that it was an *ultimatum*. The Tammany members were at once summoned to an indignation meeting; their feelings closely resembling those of the famous fish-wife whom O'Connell called a parallelopipedon. None of them had any very accurate idea as to what the word *ultimatum* meant; but that it was intensely offensive, not to say abusive, in its nature, they did not question for a moment. It was felt that some equivalent and equally strong term by which to call Tammany's proposed counter address must be found immediately; but, as the Latin vocabulary of the members was limited, it was some time before a suitable term was forthcoming. Finally, by a happy inspiration, some gentleman of classical education remembered the phrase "*ipse dixit*"; it was at once felt to be the very phrase required by the peculiar exigencies of the case, and next day the reply appeared, setting forth with self-satisfied gravity that, in response to the County Democracy's "*ultimatum*," Tammany herewith pro-

duced her "*ipse dixit*." Some of us endeavored to persuade the County Democratic leaders to issue a counter-blast, which could be styled either a *sine qua non* or a *tempus fugit*, according to the taste of the authors; but our efforts were not successful, and the *ipse dixit* remained unanswered.

Nor is it only Latin terms that sometimes puzzle our city politicians. A very able and worthy citizen, Mr. D., had on one occasion, before a legislative committee, advocated the restriction of the powers of the Board of Aldermen, instancing a number of occasions when they had been guilty of gross misconduct, and stating that in several other instances their conduct had been "identical" with that of which he had already given examples. Shortly afterwards the mayor nominated him for some office, but the aldermen refused to confirm him, one of them giving as his reason that Mr. D. had used "abusive and indecorous language" about the Board. On being cross-examined as to what he referred to, he stated that he had heard "with his own ears" Mr. D. call the aldermen "identical"; and to the further remark that "identical" could scarcely be called either abusive or indecorous, he responded triumphantly that the aldermen were the best judges of matters affecting their own dignity. And Mr. D.'s nomination remained unconfirmed.

Shortly afterwards the aldermen fell foul of one of their own number, who, in commenting on some action of the Board, remarked that it was robbing Peter to pay Paul. Down came the gavel of the acting president, while he informed the startled speaker that he would not tolerate blasphemous language from any one. "But it was not blasphemous," returned the offender. "Well, if it wasn't, it was vulgar, and that's worse," responded the president, with dignity; and the admiring Board sustained him with practical unanimity in his position of censor-extraordinary over aldermanic morals.

Public servants of higher grade than aldermen sometimes give adjectives a wider meaning than would be found in the dictionary. In many parts of the United States, owing to a curious series of historical associations (which, by the way, would be interesting to trace out), anything foreign and un-English is called "Dutch," and it was in this sense that a West Virginian member of the last Congress used the term when, in speaking in favor of a tariff on works of art, he told of the reluctance with which he saw the productions of native artists exposed to competition "with Dutch daubs from Italy"; a sentence pleasing alike from its alliteration and from its bold disregard of geographic trivialities.

Often an orator of this sort will have his attention attracted by some high-sounding word, which he has not before seen, and which he treasures up to use in his next rhetorical flight, without regard to the exact meaning. There was a laboring man's advocate in the last Legislature, one of whose efforts attracted a good deal of attention from his magnificent heedlessness of technical accuracy in the use of similes. He was speaking against the convict contract-labor system, and wound up an already sufficiently remarkable oration with the still more startling ending that the system "was a vital cobra which was swamping the lives of the laboring men." Now, he had evidently carefully put together the sentence beforehand, and the process of mental synthesis by which he built it up must have been curious. "Vital" was, of course, used merely as an adjective of intensity; he was a little uncertain in his ideas as to what a "cobra" was, but took it for granted that it was some terrible manifestation of nature, possibly hostile to man, like a volcano, or a cyclone, or Niagara, for instance; then "swamping" was chosen as describing an operation very likely to be performed by Niagara, or a cyclone, or a cobra; and, behold, the sentence was complete.

Sometimes a common phrase will be given a new meaning. Thus, the mass of legislation is strictly local in its character. Over a thousand bills come up for consideration in the course of a session, but a very few of which affect the interests of the State at large. The latter and the more important private bills are, or ought to be, carefully studied by each member; but it is a physical impossibility for any one man to examine the countless local bills of small importance. For these we have to trust to the member for the district affected, and when one comes up the response to any inquiry about it is, usually, "Oh, it's a local bill, affecting so-and-so's district; he is responsible for it." By degrees, some of the members get to use "local" in the sense of unimportant, and a few of the assemblymen of doubtful honesty gradually come to regard it as meaning a bill of no pecuniary interest to themselves. There was a smug little rascal in one of the last Legislatures, who might have come out of one of Lever's novels. He was undoubtedly a bad case, but had a genuine sense of humor, and his "bulls" made him the delight of the house. One day I came in late, just as a bill was being voted on, and meeting my friend, hailed him, "Hello, Pat, what's up? what's this they're voting on?" to which Pat replied, with contemptuous indifference to the subject, but with a sly twinkle in his eye, "Oh, some unimportant measure,

sorry; some local bill or other—a *constitutional amendment!*"

The old Dublin Parliament never listened to a better specimen of a bull than was contained in the speech of a very genial and pleasant friend of mine, a really finished orator, who, in the excitement attendant upon receiving the governor's message vetoing the famous five-cent fare bill, uttered the following sentence: "Mr. Speaker, I recognize the hand that crops out in that veto; *I have heard it before!*"

One member rather astonished us one day by his use of "shibboleth." He had evidently concluded that this was merely a more elegant synonym of the good old word shillelah, and in reproving a colleague for opposing a bill to increase the salaries of public laborers, he said, very impressively, "The trouble with the young man is, that he uses the wurd economy as a shibboleth, wherewith to strike the working man." Afterwards he changed the metaphor, and spoke of a number of us as using the word "reform" as a shibboleth, behind which to cloak our evil intentions.

A mixture of classical and constitutional misinformation was displayed a few sessions past in the State Senate, before I was myself a member of the Legislature. It was on the occasion of that annual nuisance, the debate upon the Catholic Protectory item of the Supply Bill. Every year some one who is desirous of bidding for the Catholic vote introduces this bill, which appropriates a sum of varying dimensions for the support of the Catholic Protectory, an excellent institution, but one which has no right whatever to come to the State for support; each year the insertion of the item is opposed by a small number of men, including the more liberal Catholics themselves, on proper grounds, and by a larger number from simple bigotry—a fact which was shown two years ago, when many of the most bitter opponents of this measure cheerfully supported a similar and equally objectionable one in aid of a Protestant institution. On the occasion referred to there were two senators, both Celtic gentlemen, who were rivals for the leadership of the minority: one of them a stout, red-faced little man, who went by the name of "Commodore," owing to his having seen service in the navy; while the other was a dapper, voluble fellow, who had at one time been on a civic commission and was always called the "Counselor." A mild-mannered countryman was opposing the insertion of the item on the ground (perfectly just, by the way) that it was unconstitutional, and he dwelt upon this objection at some length. The Counselor, who knew nothing of the constitution, except that it was continually

being quoted against all of his favorite projects, fidgeted about for some time, and at last jumped up to know if he might ask the gentleman a question. The latter said, "Yes," and the Counselor went on, "I'd like to know if the gentleman has ever personally seen the Catholic Protectoree?" "No, I haven't," said the astonished countryman. "Then, phwat do you mane by talking about its being unconstitootional, I'd like to know? It's no more unconstitootional than you are! Not one bit! I know it, for I've been and seen it, and that's more than you've done." Then, turning to the house, with slow and withering sarcasm, he added, "The throuble wid the gentleman is that he okkipies what lawyers would call a kind of a quasi-position upon this bill," and sat down amid the applause of his followers.

His rival, the Commodore, felt he had gained altogether too much glory from the encounter, and after the nonplussed countryman had taken his seat, he stalked solemnly over to the desk of the elated Counselor, looked at him majestically for a moment, and said, "You'll excuse my mentioning, sorr, that the gentleman who has just sat down knows more law in a wake than you do in a month; and more than that, Counselor Shaunnessy, phwat do you mane by quotin' Latin on the flure of this house, *when you don't know the alpha and omayga of the language!*" and back he walked, leaving the Counselor in humiliated submission behind him.

The Commodore was at that time chairman of a Senate committee, before which there sometimes came questions affecting the interests or supposed interests of labor. The committee was hopelessly bad in its composition, the members being either very corrupt or exceedingly inefficient. The Commodore generally kept order with a good deal of dignity; indeed, when, as not infrequently happened, he had looked upon the rye that was flavored with lemon-peel, his sense of personal dignity grew till it became fairly majestic, and he ruled the committee with a rod of iron. At one time a bill had been introduced (one of the several score of preposterous measures that annually make their appearance purely for purposes of buncombe), by whose terms all laborers in the public works of great cities were to receive three dollars a day — double the market price of labor. To this bill, by the way, an amendment was afterwards offered in the house by some gentleman with a sense of humor, which was to make it read that all the inhabitants of great cities were to receive three dollars a day, and the privilege of laboring on the public works if they chose; the original author of the bill questioning doubtfully if the

amendment "didn't make the measure a trifle too sweeping." The measure was, of course, of no consequence whatever to the genuine laboring men, but was of interest to the professional labor agitators; and a body of the latter requested leave to appear before the committee. This was granted, but on the appointed day the chairman turned up in a condition of such portentous dignity as to make it evident that he had been on a spree of protracted duration. Down he sat at the head of the table, and glared at the committeemen, while the latter, whose faces would not have looked amiss in a rogues' gallery, cowered before him. The first speaker was a typical professional laboring man; a sleek, oily little fellow, with a black mustache, who had never done a stroke of work in his life. He felt confident that the Commodore would favor him, — a confidence soon to be rudely shaken, — and began with a deprecatory smile:

"Humble though I am —"

Rap, rap, went the chairman's gavel, and the following dialogue occurred:

Chairman (with dignity). "What's that you said you were, sir?"

Professional Workingman (decidedly taken aback). "I — I said I was humble, sir."

Chairman (reproachfully). "Are you an American citizen, sir?"

P. W. "Yes, sir."

Chairman (with emphasis). "Then you're the equal of any man in this State! Then you're the equal of any man on this committee! *Don't let me hear you call yourself humble again! Go on, sir!*"

After this warning the advocate managed to keep clear of the rocks until, having worked himself up to quite a pitch of excitement, he incautiously exclaimed, "But the poor man has no friends!" which brought the Commodore down on him at once. Rap, rap, went his gavel, and he scowled grimly at the offender, while he asked with deadly deliberation:

"What did you say that time, sir?"

P. W. (hopelessly). "I said the poor man had no friends, sir."

Chairman (with sudden fire). "Then you lied, sir! I am the poor man's friend! so are my colleagues, sir!" (Here the rogues' gallery tried to look benevolent.) "Speak the truth, sir!" (with sudden change from the manner admonitory to the manner mandatory). "Now, you, sit down quick, or get out of this somehow!"

This put an end to the sleek gentleman, and his place was taken by a fellow-professional of another type — a great, burly man, who would talk to you on private matters in a perfectly natural tone of voice, but who, the

minute he began to speak of the Wrongs (with a capital W) of Labor (with a capital L), bel-
lowed as if he had been a bull of Bashan. The Commodore, by this time pretty far gone,
eyed him malevolently, swaying to and fro in
his chair. However, the first effect of the fel-
low's oratory was soothing rather than other-
wise, and produced the unexpected result of
sending the chairman fast asleep sitting bolt
upright. But in a minute or two, as the man
warmed up to his work, he gave a peculiarly
resonant howl which waked the Commodore
up. The latter came to himself with a jerk,
looked fixedly at the audience, caught sight
of the speaker, remembered having seen him
before, forgot that he had been asleep; and
concluded that it must have been on some
previous day. Hammer, hammer, went the
gavel, and —

"I've seen you before, sir!"

"You have not," said the man.

"Don't tell me I lie, sir!" responded the
Commodore, with sudden ferocity. "You've
addressed this committee on a previous day!"

"I've never —" began the man; but the
Commodore broke in again:

"Sit down, sir! The dignity of the chair
must be preserved! No man shall speak to
this committee twice. The committee stands
adjourned." And with that he stalked majes-
tically out of the room, leaving the committee
and the delegation to gaze sheepishly into
each other's faces.

OUTSIDERS.

AFTER all, outsiders furnish quite as much
fun as the legislators themselves. The num-
ber of men who persist in writing one letters
of praise, abuse, and advice on every con-
ceivable subject is appalling; and the writers
are of every grade, from the lunatic and the
criminal up. The most difficult to deal with
are the men with hobbies. There is the Prot-
estant fool, who thinks that our liberties are
menaced by the machinations of the Church
of Rome; and his companion idiot, who wants
legislation against all secret societies, espe-
cially the Masons. Then there are the be-
lievers in "isms," of whom the women-
suffragists stand in the first rank. Now, to the
horror of my relatives, I have always been a
believer in woman's rights, but I must confess
I have never seen such a hopelessly imprac-
ticable set of persons as the woman-suf-
fragists who came up to Albany to get
legislation. They simply would not draw up
their measures in proper form; when I pointed
out to one of them that their proposed bill
was drawn up in direct defiance of certain of
the sections of the Constitution of the State,

he blandly replied that he did not care at all
for that, because the measure had been drawn
up so as to be in accord with the Constitu-
tion of Heaven. There was no answer to this
beyond the very obvious one that Albany was
in no way akin to Heaven. The ultra-tem-
perance people — not the moderate and sen-
sible ones — are quite as impervious to com-
mon sense.

A member's correspondence is sometimes
amusing. A member receives shoals of letters,
of advice, congratulation, entreaty, and abuse,
half of them anonymous. Most of these are
stupid, but one received by a friend broke the
monotony by the charming frankness with
which it began, "Mr. So-and-so — Sir: Oh,
you goggle-eyed liar!" — a sentence which thus
combined a graphic estimate of my friend's
moral worth together with a delicate allusion
to the fact that he wore eye-glasses.

I had some constant correspondents. One
lady in the western part of the State wrote me
a weekly disquisition on woman's rights. A
Buffalo clergyman spent two years on a one-
sided correspondence about prohibition. A
gentleman of — wrote me such a stream
of essays and requests about the charter of
that city that I feared he would drive me
into a lunatic asylum; but he anticipated
matters by going into one himself. A New
Yorker at regular intervals sent up a request
that I would "reintroduce" the Dongan char-
ter, which had lapsed about the year 1720.
A gentleman interested in a proposed law to
protect primaries took to telegraphing daily
questions as to its progress — a habit of which
I broke him by sending in response telegrams
of several hundred words each, which I was
careful not to prepay.

There are certain legislative actions which
must be taken in a purely Pickwickian sense.
Notable among these are the resolutions of
sympathy for the alleged oppressed patriots
and peoples of Europe. These are generally
directed against England, as there exists in
the lower strata of political life an Anglophobia
quite as objectionable, though not as con-
temptible, as the Anglomania at present pre-
vailing in the higher social circles.

As a rule, these resolutions are to be classed
as simply *bouffe* affairs; they are commonly
introduced by some ambitious legislator —
often, I regret to say, a native American —
who has a large foreign vote in his district
(the famous O'Donnell resolution in Congress
is a particularly unfortunate recent instance).
During my term of service in the Legislature,
resolutions were introduced demanding the
recall of Minister Lowell, assailing the Czar
for his conduct towards the Russian Jews,
sympathizing with the Land League and the

Dutch Boers, etc., etc.; the passage of each of which we strenuously and usually successfully opposed, on the ground that while we would warmly welcome any foreigner who came here, and in good faith assumed the duties of American citizenship, we had a right to demand in return that he should not bring any of his race or national antipathies into American political life. Resolutions of this character are sometimes undoubtedly proper, but are in nine cases out of ten wholly unjustifiable. An instance of this sort of thing which took place not at Albany may be cited. Recently the Board of Aldermen of one of our great cities received a stinging rebuke, which it is to be feared the aldermanic intellect was too dense to fully appreciate. The aldermen passed a resolution "condemning" the Czar of Russia for his conduct towards his fellow-citizens of Hebrew faith, and "demanding" that he should forthwith treat them better; this was forwarded to the Russian Minister with a request that it be sent to the Czar. It came back forty-eight hours afterwards, with a note on the back by one of the under-secretaries of the legation, to the effect that as he was not aware that Russia had any diplomatic relations with the Philadelphia Board of Aldermen, and as, indeed, Russia was not officially

cognizant of their existence, and, moreover, was wholly indifferent to their opinions on any conceivable subject, he herewith returned them their kind communication.

IN concluding, I would say that while there is so much evil at Albany, and so much reason for our exerting ourselves to bring about a better state of things, yet there is no cause for being disheartened or for thinking that it is hopeless to expect improvement. On the contrary, the standard of legislative morals is certainly higher than it was fifteen years ago or twenty-five years ago, and, judging by appearances, it seems likely that it will continue slowly and by fits and starts to improve in the future; keeping pace exactly with the gradual awakening of the popular mind to the necessity of having honest and intelligent representatives in the State Legislature.

I have had opportunity of knowing something about the workings of but a few of our other State Legislatures; from what I have seen and heard, I should say that we stand about on a par with those of Pennsylvania, Maryland, and Illinois, above that of Louisiana, and below those of Vermont, Massachusetts, Rhode Island, and Dakota, as well as below the National Legislature at Washington.

Theodore Roosevelt.

WAYSIDE MUSIC.

I PASSED them in the bleak, cold street;
Strolling musicians, quaintly dressed.
They played an old air; strong and sweet
It rose, and fell, and sank to rest.

And then my fancy strayed away
To youthful dreams too dear to tell;
When joy outlived the longest day,
And grief was but a word to spell!

Yet still my heart, responsive, beat;
And with the tune my steps kept time.
A magic music moved my feet
Like that which makes a poem rhyme.

Then every morning music brought,
And time with gladness sped along;
No Ariel thought escaped uncaught,
And every sound was turned to song.

May it not be that sometimes, too,
Soldiers in fight have forward pressed,
Still thinking their dead bugler blew,
Because the notes still fired each breast!

It comes again, the glorious sound,
Immortal, wonderful, and strange!
It wakes my pulses with a bound,
And sets a step that shall not change.

Sweet, o'er the hills that hide my youth,
I hear the bells of morning chime:
They ring for honor, love, and truth,
And head and heart are keeping time!

C. H. Crandall.