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THE NEW CONSTITUTION

There is nothing at all startling in the proposition of the democratic majority in the general assembly of the state of Indiana to present to the people of the State of Indiana, for ratification or rejection, at the general election in November, 1912, a new state constitution. As reported, it will be the old constitution of the state with certain changes made therein.

It will be remembered that at the last general election there was submitted to the voters of this state an amendment providing that the general assembly might, by law, provide for the qualifications of persons admitted to the practice of law. Our present constitution is so worded that in order to amend the same it is necessary that the amendment shall receive a majority of the votes cast at the election; not a majority of the votes cast for and against the amendment, but a majority of all the votes cast at the election. This proposed change failed for want of constitutional majority. It was then discovered by decision in the 69th Indiana, that the amendment was not lost but was still pending and might be submitted to the people of the state, and it was a grave question as to whether any other amendment could be sumbitted to the people of the state until this had been disposed of. It was suggested from many quarters that a special election should be called for in January of this year to dispose of this proposed constitutional amendment, in order that certain changes which many persons thought should be made in the constitution could be presented at the present session of the legislature. Upon an examination of this question, it was found that this would be an expensive proceeding, would probably cost $50,000 to the people of the state of Indiana, and the proposed changes then would not only be compelled to pass this general assembly but the general assembly of 1913, then be voted on at the election in 1914, maybe fail for lack of a constitutional majority, and if carried, would accomplish none of the desired purposes until the year 1916. It was, therefore, thought advisable to do what can constitutionally be done, namely, take the old constitution which appeals in nearly every particular to all of the citizens of Indiana, make certain changes therein, and submit the same at the general election in 1912, which would enable the people to accomplish the reforms desired much more speedily and without any expense whatever, and if they did not want to accomplish them, they could reject them without any expense to themselves whatever.

The proposed changes are not numerous. The growth of modern industrial affairs has disclosed that all over the world they are coming to the conclusion that a workmen's compulsory compensation law is one that should be enacted. The ultimate consumer is now paying for the accidents which occur in all the industries of this country and the casualty companies are getting the money, but the injured employee frequently goes without any redress. Lawyers has disagreed upon the power, under the present constitution, to pass a workman's compulsory compensation law. Many believe it can be done. Others doubt it. It was, therefore, thought advisable to put the matter beyond peradventure by providing in the Bill of Rights that the general assembly may enact a workingmen's compulsory compensation law.

It was not thought right for the state, except in case of necessity, to take a man's property without compensation first assessed and tendered, and that change is proposed in the new constitution.

We think that every right-thinking man in Indiana who has spoken upon the question has said that the suffrage clause in our present constitution is too weak; that it is not right to permit men to land in America and in twelve months' time cast a vote in the state of Indiana, when no one knows whether they propose to become citizens of the state of Indiana or whether they propose to stay here a little while, make a few dollars and go back to Europe. We had the startling instance in 1908 when about 2,500 who had landed in America in March and April voted in November of that year. Their first papers are being taken out by political and industrial bosses, hundreds at a time, and they are swaying and influencing public affairs unreasonably in Indiana. The proposed change in the new constitution is that a man must be a citizen of the United States, live in Indiana twelve months, in the township sixty days, in the precinct thiry days and have paid his poll tax the year of the election and the year before in order to be entitled to vote. He may, however, pay his poll tax separate from his other tax. This is as liberal an election clause as is contained in any of the States of the Union, and is only intended to require persons to be genuine citizens of the United States before they can vote. This clause also requires a registration of the voters which may be alluded to hereafter.

Every county has had its instances where young men have disappeared and from five to ten years afterward they suddenly turn up on election day and cast their votes. It was deemed appropriate to provide that if a man left the state for twelve consecutive months, when he was not on the business of the state or of the United States, in order to retain his residence he should file a declaration of his intention to hold the same with the clerk of the court.

The next proposed change is that the house of representatives shall not exceed one hundred thirty members; that each county in the state shall have one and the surplus shall be obtained by dividing the population by ninety-two and giving to each extra quota and fractional surplus of half a quota a representative. Under the present census this would make the number of representatives one hundred thirteen, and the constitution will provide for a population of four millions. The county is a subdivision of the state, and it ought to have a representative to represent its interests in the general assembly of the state of Indiana.

The next proposed change is that there shall be two sessions of the general assembly: the first one of forty-five days in which to introduce, consider and amend bills, but not to pass a bill unless an emergency declared by two-thirds a majority of both houses requires the same; that the general assembly shall then adjourn for sixty days and reconvene and pass bills, such second session not to continue more than sixty days. It is well known that the difficulty with our present general assembly is that it has not time to consider bills, nor does the public have an opportunity of ascertaining what is pending before the general assembly, nor the terms of the pending measure. This is intended to give the public knowledge as to what the legislature is proposing to do, and let the newspaper press and all persons interested familiarize themselves with pending legislation so that when the legislators return they cannot only vote intelligently, but they can have the judgment and opinion of their fellow-citizens upon the propriety or impropriety of passing such measures as are pending before them. It further provides that the governor, for specific purposes and for a limited time not exceeding thirty days, may call the general assembly together.

The next change proposed is that special charters be granted to the different cities of the state. This is to meet phase in legislation which is apparent to every one in getting around the constitutional provision against special legislation by passing laws applicable to cities of not more or less than a certain number of inhabitants, which numbers usually vary not more than ten. This special legislation the general assembly ought to be permited to do lawfully and not by finding ways to evade the constitution.

The next change is the compensation of legislators. It provides for ten dollars a day and the people of this state ought not to ask good men to serve in such responsible positions for less than that.

The next proposed chage is in the veto power of the governor. His present veto power amounts to nothing, as a bill may be passed over his veto by a mere majority. The change proposes to require a veto to be passed by a three-fifths vote, but it also gives the governor the right to veto any item or items in any appropriation bill. This will enable him, if he has judgment, to strike out any vicious appropriations without rendering the whole appropriation bill void and without stopping the wheels of government.

The next change provides for four years' terms of office and renders men ineligible for holding more than four years in any period of eight years. No good reason can be given why certain state and county officers should hold two years while others should hold four years. Putting them all upon the same basis and then limiting their eligibility to office will enable them to direct their attention strictly to the business affairs of their offices and they will not be compelled to spend most of their time electioneering for for a renomination. This proposed change also applies to prosecuting attorneys, and to the state superintendent of public instruction, but the state superintendent of public instruction will be eligible to re-election.

It is proposed also to change the number of supreme court judges to not less than five nor more than eleven. We now have a supreme court of five members and an appellate court of six, and very much of the trouble consists in the supreme court reaching down and overruling the opinions of the appellate court. It is deemed a wise proposition, when the present appellate court ends, to simply have one appellate court, and that a supreme court.

The next change in the proposed new constitution is that on a petition of twenty-five percentum of the qualified electors of the state the general assembly may adopt laws to provide for the initiative, referendum and recall, both of state and local application. This is a very conservative proposal upon a radical change of government. It is not binding upon the general assembly, but whenever twenty-five per centum of the voters of this state demand these rights they will be acceded to by the genaral assembly. It is conservative in that it does not permit a sudden ebullition of passion among a small per centum of the voters to demand the initiative, referendum and recall, and it is sufficiently radical to call the attention of the legislature to the fact, that it must obey the people's will or the people will take charge of their own affairs.

The next proposed change is with reference to the qualifications of persons admitted to practice of the law, the need of which, in some particular parts of the state has been admitted to have been crying for many years.

Officers shall be elected by the people or appointed by the governor, except the officers of the general assembly and the United States senators, and no elective officer shall have his salary, compensation or emoluments increased during the period for which he was elected. This will wipe out a growing evil in the state of Indiana, because a man is hardly elected to office before he begins to feel that the compensation which he is receiving is not commensurate with the great services which he has rendered to the State. It is putting a warning into the Constitution to ambitious men that when they are taking an office they will take it for the compensation provided and they will not, by forming combinations among like officers or appeals to the Legislature, get any additional compensation.

The next change is with reference to the submission of amendments. As the Constitution now is, an amendment must pass two General Assemblies and then be submitted to the people. This is a slow method of righting things, when the people want to right them. The proposed new Constitution provides that the amendment shall be submitted whenever it has passed one session of the General Assembly.

And thus have been briefly stated to the people, aside from certain clerical changes, all the proposed changes in the present Constitution of the State of Indiana. The wrongs proposde righted in this are wrongs which have been admitted to exist for many years in this state, and no Republican General Assembly has ever attempted to right the same. In fact, it has only been four years since the Republican General Assembly voted down a proposal for a Constitutional Convention. So that its pretended claim at the present time that it wants a Constitutional Convention is a mere subterfuge. It does not desire any such convention. The people of this State are intelligent, wide-awake, reading. They know a good thing when they see it and they know a bad thing when they see it. They will have from now until November, 1912, to carefully examine the proposed changes, and they will be able to make up their minds as to whether they want to make these changes or not. No one who has considered the question will presume to say that the matter cannot thus be legally presented. Most of the features of the old Constitution have worked so well in the hour of peace and the hour of war as to be entirely satisfactory to the great body of the citizenship of Indiana. A Constitutional Convention would cost a vast amount of money, and nobody knows what the result of its deliberations might be. There are a hundred proposed reforms which might be presented and might be embodied in a new Constitution only to be rejected by the people. Such a body would be a vastly expensive one, and if their new Contitution should be rejected by the people in 1913 we would be just where we are today. These proposed changes, upon mature thought and deliberation, will meet with the approval of the great body of the people of Indiana. They can thus be lawfully adopted, and if there are any other needed changes, the change with reference to amendments will make it extremely easy for the people to interpose these changes into the organic law of the State.

The Democratic majority in the General Assembly is to be congratulated in having found a method whereby the wrongs of our organic law can be righted without expense to the people of the state, andthus save, as we believe they will in every instance, justified their ability to serve the people and to give them an honest and economic administration of public affairs.

Do not be beguiled by charges that this is a political trick. It is a fair, honest and open presentation of the matter to you, and you should not make up your minds until you have read the proposed charges. When read, we believe you will approve them.

PUBLIC SALE.

Notice is hereby given that the undersigned will offer for sale at his residence, 2¼ miles south of Pleasant Mills, 3½ miles west of Willshire on Thursday, February 23, 1911, commencing at 10 o'clock a. m., the following personal property: Eleven head of horses. Nine-year-old mare, weighs 1500 pounds; coming 4-year-old mare, 1600 pounds; coming 3-year-old mare, 1600; coming 3-year-old mare, 1400; coming 4-year-old mare, 1400; coming 3-year-old horse, 1300; coming 4-year-old horse, 1300; comin 2-year-old horse, 1100; 2 extra Belgian mare colts, 1 yearling horse colt. Above mares are all safe in foal to imported Belgian horses. Five head of cows. Two of them fresh by day of sale. Black Aberdeen cow, 3 years old, to be fresh April 13th; heifer to be fresh March 3rd. Five brood sows to farrow by March 20th. Implements. Troy wagon, 2-horse carriage, rubber tire buggy, Deering binder, disc drill, sulky hay rake, sulky breaking plow, riding cultivator, 1-horse feed grinder, 2 sets double work harness, set of buggy harness, double set carriage harness, feed cooker, 50 bushels potatoes, 50 tomato crates, and other articles too numerous to mention.

Terms—On sums of $5.00 and under, cash in hand; on sums over $5 a credit of 9 minths will be given, purchaser giving bankable note. Five per cent off for cash.

H. I. TEEPLE.

J. N. Burkhead, Auct. 4it2

LOST—A bunch of keys, somewhere in the city. Finder please return to

FOR RENT—Cheap, two good rooms for dressmaking, on Second street. Inquire Mrs. Chas. A. Dugan. 38t6