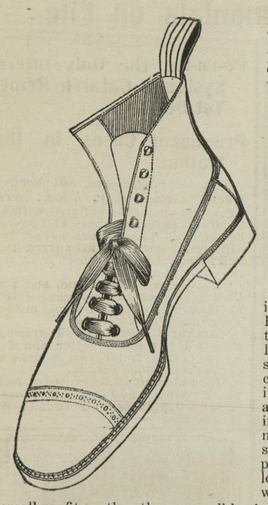
How About Shoes?



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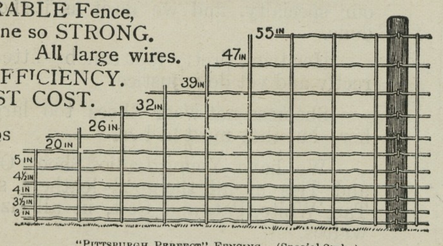

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Cleanses and beautifies the hair. Promotes a luxuriant growth. Never Fails to Restore Gray Hair to its Youthful Color. Cures scalp diseases & hair falling. 50c, and $1.00 at Druggists

(Continued from Page Three.

of their inability, whether the same arises from want of sufficient education or any other cause whatever.

The right, in other words, is made to depend upon the fact of the inability to read, and not at all upon the cause of such inability. Hence the practical and substantial test of admission to registration or exclusion from it under this whole clause is the ability or inability of the applicant to "understand and give reasonable explanation" of any section of our State Constitution read to him by the Registration Officers. No greater or different test is required from the man who can read and the man who cannot read. Both are required to be able to give a reasonable explanation of any section submitted by the Registration Officers. The man who can read and give a reasonable explanation of the section which is submitted to him to be read by him is put upon the same plane precisely as the man who cannot read, but can understand and give a reasonable explanation of the section read to him.

And so, too, the man who cannot read the section submitted to him to be read by him, but is called on to give a reasonable explanation of a section read to him by the Registration Officers is put upon the same plane precisely as the man who can read the section submitted to him by the Registration Officers to be read by him.

Starting, therefore, with this plain interpretation of the meaning of the whole clause, viz., that any illiterate man, whether white or black, who can understand and give a reasonable explanation of any section of the Constitution which may be read by him to the Registration Officers or read to him by them, is entitled to registration, the question is whether, in connection with the other clauses of the Amendment, it is a good and desirable amendment to the Constitution of Maryland, and, as such, should be adopted by the people, or whether it is the bad proposition which some of its opponents proclaim it to be, and, as such, should be rejected.

No Race Discrimination.

In passing upon this question we must consider at the very outset whether it violates either the Fourteenth or Fifteenth Amendment to the Constitution of the United States.

The Fifteenth Amendment declares that "the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude."

Looking to the language of the clause under consideration, it is manifest that it applies equally and impartially alike to both white and black citizens of the United States. No discrimination is made for or against any citizen on account of race or color, and hence there is no possible room for the suggestion that the Fifteenth Amendment stands as an obstacle in its way.

Taking up the Fourteenth Amendment, we find that its first section has been repeatedly held by the Supreme Court of the United States to have no application whatever to the question of suffrage, and this must now be treated as absolutely settled.

As to the second section of the Fourteenth Amendment, the utmost that has ever been suggested is that an educational qualification may subject the State imposing it to a reduction of its representation in Congress and in the Electoral College, but Judge Cooley clearly shows in his "Principles of Constitutional Law," page 292, that to require ability to read is no denial of suffrage, and hence that such denial cannot be a violation of the second section of the Fourteenth Amendment.

All objection to this educational test clause as contrary to either the Fourteenth or Fifteenth Amendments being thus eliminated, we have only to consider its expediency under our existing political conditions in Maryland.

To judge this properly we must ascertain whom it will reach and control and how it will operate.

Taking it in connection with the other sections of the proposed amendment, it is clear that it does not affect or touch in the registration of the year 1906 any native born white man whomsoever who voted anywhere in the Union on January, 1869, or earlier, nor the lineal descendant of any such native born white man. It will not and can not apply to or exclude any such men.

Nor will it apply to any naturalized citizen of the United States who on January 1, 1869, or earlier, voted anywhere in the Union, nor to the lineal descendant of any such naturalized citizen.

Nor will it apply to any black man who voted anywhere in the Union on January 1, 1869, or earlier, or the lineal descendant of any such black man.

The problem presented to the Democratic Senate and House of Delegates at the session of 1904 was this: How can we frame an amendment to the Constitution of Maryland which, while not violating either the letter or the spirit of the Fourteenth and Fifteenth Amendments to the Constitution of the United States, will rescue our State from the evil and peril of ignorant negro suffrage?

The proposed amendment solves this problem.

Suffrage Not a Natural Right.

Suffrage is a valuable privilege, but it is not a natural right. (Anderson vs. Baker, 23 Md. 531.) Hence no injustice is done by withholding it from persons who are not able to appreciate and exercise it with discrimination and moderate intelligence, and the condition upon which it is offered, viz., an ability to understand and explain a section of the Constitution is certainly not a rigorous, exacting or harsh condition.

Indeed, it is a small price to demand for so large a boon.

The educated negro who wishes to aid in the elevation of his race should hail with satisfaction the effort which this amendment will require from the uneducated negro to learn to read in order to qualify himself as a voter, and the adoption of the amendment will put into the hands of the better class of our colored population a power and influence for good with the illiterate of their race which they have never thus far possessed.

The most generous offers of the opportunities of education furnished by our public schools for more than 30 years have not borne the rich fruit which was hoped for, but when our colored people realize that if they cannot read they shall not vote it will not be long before the evils under which our elective franchise suffers unto degradation will be greatly lessened.

Indeed, one of the strongest arguments in favor of the amendment is that so far from being injurious or unjust to our negro population, it will, on the contrary, if adopted, be promotive of their best interests.

While protecting our white electorate from the contamination of debased and ignorant negro suffrage, it will necessarily stimulate the uneducated negro to learn to read and thereby to earn the right to vote.

And if he prove either unwilling or unable to come up to the easy educational test prescribed by the amendment, he ought not to be permitted to vote, and there is no hardship in excluding him.

Constitution of 1864.

Our Constitution of 1864, upon grounds of public policy then deemed to be sufficient, and held by our Court of Appeals in Anderson vs. Baker, 23 Md., 531, to be valid and constitutional, disfranchised by the most stringent retroactive provisions all who sympathized with the Southern Confederacy or had ever given any aid or comfort to the cause of secession.

This destruction of the pre-existing right to vote under the Constitution of 1851 was accomplished by a partisan Board of Registration Officers, whose decision was declared to be absolutely final and conclusive without appeal.

Surely, if the disfranchisement of two-thirds of the cultured and influential white voters of the State was then adjudged to be wise and expedient in order to save the government of the State from the possibility of falling into the hands of the Southern sympathizers of that day, the present effort to save our elective franchise from the deplorable evils of the lowest grade of ignorant negro suffrage ought not to be denounced as pernicious, or resisted as unjust or injurious.

On the contrary, it ought to appeal with persuasive and controlling force to all of our people who, without distinction of party, believe in the supremacy of the white race, and who feel that some degree of intelligence should be exacted as the test of the right to vote.

Objection to the Amendment.

There only now remains for consideration the objection which has been urged to the amendment, viz., that it gives too much power to our Registration officers.

But this is an entire mistake, as an examination of our Election Law will plainly show.

We find in every election precinct a bi-partisan board of registration officers, composed equally of Democrats and Republicans, carefully selected by the Supervisors of Elections, sworn to do their duty fairly and impartially, and subject to heavy penalties for its violation, with a right of appeal from their decision in every case to the Circuit Court for their respective counties, or to some judge of the Supreme Bench of Baltimore city, with a further right of appeal in every case to the Court of Appeals.

In full view of these most abundant safeguards against error, injustice and injury, we are called on to meet an argument that these registration officers will wickedly, corruptly or ignorantly register illiterate foreigners or negroes who ought not to be registered, or refuse to register literate foreigners or negroes who ought to be registered, and because of the possibility of such misconduct we must continue to bear political evils which an overwhelming majority of our people have declared to be intolerable!

There would not be any force in the argument now being considered, even if there were no right of appeal from the registration officers, for the obvious reason that the equal political division of the registration officers is the amplest protection against error and injustice, and that consequently partisan injustice is practically next to impossible. But when we bear in mind that there is the fullest, speediest right of appeal, even to our highest Court, the argument needs only to be stated to be rejected.

In truth, when analyzed, it means that our election officials cannot be trusted with duties, powers and responsibilities, even when they act subject to the absolute supervision and control of our Court of Appeals, and applies with equal force to the performance by the registration officers of their other functions in the work of registration.

When, therefore, we realize that this is the only objection that is seriously urged to influence the views and votes of our people who wish preservation and protection against the evils of a debased and ignorant negro suffrage, is it too much to hope and believe that the Amendment presented to them for the purpose of securing to them this preservation and protection will grow in favor the more carefully it is considered, and in November next will be made a vital force in the Constitution of Maryland by a decisive popular ratification?

MURRAY VANDIVER,
Chairman of Democratic State Central Committee.

March 27, 1905.

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