

# CENTRAL EXPRESS



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## FEDERAL

### Separate Functions of the Senate and House of Representatives.

By the Constitution of the United States, all the legislative power of the government is vested in the Congress, which consists of two branches; the Senate and the House of Representatives. Each State is entitled to two Senators, who are chosen for six years by the State legislature, but the members of the House of Representatives are elected every two years by the direct vote of the people of the several States.

The Senate, at the time I write consists of eighty-four members, and the House of Representatives consists of three hundred and thirty members, and four delegates from the Territories, who have the right to speak and to serve on some of the standing committees, but no right to vote either in the committees or in the House.

The right of the two Houses to legislate upon all questions over which they have jurisdiction under the Constitution, is modified by the qualified veto power vested in the President. No bill or joint resolution—that is, a resolution requiring the concurrence of both Houses—can have the force and effect of a law until it has been presented to the President, and approved by him; but if returned by him without his approval, it becomes a law if repassed by a vote of two-thirds in each House. If he does not return the bill or resolution with his objections to its passage within ten days, Sundays excepted, after it is presented to him, it becomes a law, unless Congress has in the meantime prevented its return by an adjournment.

The Vice-President of the United States is by virtue of his office the President of the Senate, and presides over its deliberations and signs all bills and joint resolutions after they have passed both Houses. If there be no Vice-President, or in case he is absent, the Senate is presided over by one of its own members elected President pro tempore. The Vice-President has no right to vote except in case of a tie, but a Senator chosen to preside may vote on all questions the same as other members of the body.

At the first meeting of each Congress—that is, every two years—the House of Representatives elect a Speaker and other officers to serve during the Congress, but it has the right to change them at any time.

The Speaker presides when the House is in session, decides all questions of order, signs all bills and joint resolutions that have passed both Houses, and performs many other duties imposed upon him by law and the rules of the House. Being always a member of the House, he has a right to vote on all questions, but the rules do not require him to do so except when his vote would change the result.

As a general rule, any bill or resolution may be first introduced and passed in either House, and then sent to the other for consideration; but there is an exception to this rule in the case of bills raising revenue.

All such bills must originate in the House of Representatives, and this has been held to apply to bills abolishing taxes as well as to bills imposing taxes.

Whether the Senate has a right to originate a general appropriation bill authorizing the payment of money out of the Treasury for the support of the government is still a disputed question, but in practice all such bills originate in the House.

With this exception, the two Houses possess equal powers in all matters of legislation; but there are certain functions which belong to each of them separately and in the exercise of which the other can take no part. Each is the sole judge of the elections, qualifications and returns of its own members;

that is, each has the exclusive right to inquire and decide whether any person claiming to be a member has been legally elected, and possesses the qualifications required by the Constitution.

A Senator must be at least thirty years old, and he must have been a citizen of the United States for nine years, and an inhabitant at the time of his election of the State for which he is chosen. A representative must be at least twenty-five years old, a citizen of the United States for seven years, and an inhabitant at the time of his election of the State in which he is chosen.

Each House has the right, without consulting the other, to make rules for the government of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

The rules adopted by the two bodies are quite different in many respects, and it sometimes happens that bills which have passed the House, and been sent to the Senate, are there amended by inserting provisions which could not have been incorporated by them in the House. This occurs more frequently in the cases of general appropriation bills and revenue bills than in any others, and has more than once caused serious disagreements between the two bodies.

As the Senators and Representatives are not officers of the United States within the meaning of the Constitution, and, therefore, cannot be impeached and removed from office, expulsion is the only process by which the seat of a corrupt or unworthy member can be vacated.

The causes for which a member may be expelled have never been and in the nature of the case cannot be specifically defined. The Constitution is silent upon the subject, and the whole proceeding is necessarily left to the sound judgment and sense of justice of the members, who, if they act without sufficient cause, are amenable only to their constituents and the general public sentiment.

The House of Representatives possesses the sole power of impeachment, and the Senate has the sole power to try the accused person. When sitting for that purpose the Senators are required to be on oath or affirmation, and when the President is on trial, the Chief Justice of the Supreme Court must preside. It requires the concurrence of two-thirds of all the members present to convict, and the judgment can have no effect except to remove the accused from office, and disqualify him to hold or enjoy any office of honor, trust or profit under the United States; but the party convicted may still be indicted, tried and convicted and punished according to law in the ordinary judicial tribunals.

Here again, as in the case of the power to expel a member, the Constitution does not specify the cause for which an officer may be impeached and removed. The House of Representatives, when it prepares the charges and presents them to the Senate, decides in the first instance what constitutes an impeachable offense, but this is not conclusive upon the Senate. The latter body determines on the trial, not only whether an impeachable offense is charged in the articles, but also whether the charge is sustained by the evidence, and from its decision there is no appeal.

There are two other very important functions belonging to the Senate, in which the House does not participate.

One of those is the qualification of treaties and the other is the confirmation of appointments to office made by the President. The Constitution provides that the President shall have power, by and with the advice and consent of the Senate, to make treaties but two-thirds of the Senators present must concur; and that he shall nominate, and,

by and with the consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the U. S. whose appointments are not otherwise provided for in the Constitution, and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers as they may think proper in the President alone, or in the courts of law, or the heads of the departments.

While this provision plainly confers upon the President and the Senate the sole power to make treaties, a power has never been disputed, yet there are certain classes of treaties which after they are made, cannot be put into effective operation without legislation by Congress, and in all such cases the House may, of course, prevent the practical exercise of the power by refusing to concur in the passage of the necessary laws.

Treaties of commercial reciprocity, which propose to make changes in our revenue system, and treaties for the extradition of fugitives from justice which require the enactment of laws conferring jurisdiction upon the Courts, and prescribing the manner in which the alleged criminal may be apprehended, identified and surrendered, are examples of this class.

Without entering upon disputed ground, it will be sufficiently accurate for the present purpose to say generally, that whenever a treaty proposes to change the existing order of things within the limits of our own territory, it cannot be fully executed unless supplemented by appropriate legislation.

It will be seen from what has already been said that the actual appointment to office is not made until after the Senate has advised and consented to the nomination sent in by the President. This is always the case when the vacancy to be filled occurs during a session of the Senate; but under another clause of the Constitution, if a vacancy happens in an office during a recess the President has the power to make an actual appointment and grant a commission, which, however, expires at the end of the next session.

There are cases in which the House of Representatives elects the President of the United States, and the Senate elects the Vice-President. Ordinarily the President and Vice-President are elected by the votes of electors, who are appointed in the several States in such manner as the State Legislatures may direct. Formerly these electors were chosen in most of the States by the Legislatures themselves; but one after another of the States gave the right of choice to the people, until at last all adopted that system, and now electors are appointed in every State by popular vote.

Each State is entitled to appoint as many electors as it has Senators and Representatives in Congress, and after they are chosen it is their duty to meet in their respective States, and vote by ballot for President and Vice-President. They are required to make, sign and certify distinct lists showing the persons voted for and the number of votes cast for each, and these lists must be sealed and sent to the President of the Senate. They are opened by the President of the Senate in the presence of the Senate and House of Representatives, and the votes are counted.

If it is found that no one has received the votes of a majority of all the electors for the office of President, it is the duty of the House to proceed immediately to choose a President, by ballot; and if no one has received the votes of a majority of the whole number of electors for the office of Vice-President, it is the duty of the Senate to elect that officer. But the Senate is not required to proceed immediately, and need not vote by ballot.

In the House the vote must be taken by States, the whole repre-

sentation from each State having but one vote, and a quorum for this purpose consists of a member or members from two thirds of the States; but a majority of all the States is necessary to make an election.

In the Senate a quorum for the election of a Vice-President consists of two thirds of the whole number of Senators, but a mere majority of this two thirds cannot elect, a majority of the whole number being necessary for that purpose.

In choosing a President, the House is limited to the three persons who received the highest numbers of the votes cast for that office by the electors, and the Senate in choosing the Vice-President is limited to the two persons who receive the highest numbers of votes cast for that office by the electors.

No vote, therefore, given in the House for any other person than one of those three could be counted; and so in the Senate, a vote would be thrown away unless cast for one of the two persons to whom that body is limited in making its choice.

The three powers of government are the legislative, the executive and the judicial. The Legislature makes laws, the Executive enforces them, and the Judiciary interprets them. The American theory of government is that these powers shall be lodged as far as possible, in separate and distinct classes of officials; and some of the State Constitutions declare in substance, that no officer or body of officers belonging to one of these classes shall ever exercise any power belonging to another.

In fact, however, no matter what the theory may be, or what general declaration may be made in the Constitution, these powers are not always kept entirely separate and distinct. We have seen that under the Constitution of the United States, the President, who is the chief executive officer, participates to a certain extent in the exercise of legislative power, because no bill passed by Congress can become a law without his approval, unless passed in each House by a vote of two-thirds when returned with his objections.

The Senator, although it belongs to the legislative department, exercises executive powers in the ratification of treaties and the confirmations of nominations for office, and judicial power in the trial of impeachments.

The House of Representatives has no executive powers, but it acts in a judicial capacity when it investigates charges against public officers, and prepares articles of impeachment against them.

### The Masses Versus the Bosses.

Lenoir Tipton.

There is a fight on hand now which, if the masses of the membership of the Farmers' Alliance are successful in it, will do more to broaden the influence of that great order than anything that has happened since its organization. Secret order as it is there is no concealing the fact that the standard of revolt has been raised inside every Alliance in North Carolina against the tyrannical dictation of certain would-be bosses and against the prospective policy of the *Progressive Farmer*, which insists upon running the sub-Treasury bill down the throats of the Alliance people of the State when they are against it four to one. But how can this be, it asks, when the State Alliance adopted it as one of its demands? Here is "how it can be" exactly. The delegate from Caldwell county to the State Alliance voted for the sub-Treasury Bill as a State demand in the face of the fact that the very county Alliance that elected him a delegate voted down the sub-Treasury bill and, like the Alexander county man who went to the Penitentiary, our people are "not so very well pleased about it."

How many other counties are in the same fix?

This measure did not emanate from the people but is a wild-ent scheme, concocted to "whoop 'em up" with by a junta of visionary satellites of Macune, who revolve around his planetary greatness and sneeze whenever he takes snuff. Unfortunately for Colonel Polk—whom the *Topic* has never regarded as a man of much stability of character, though it has never questioned his honesty of purpose—he has allowed this wily schemer to acquire too much influence over him. It has looked to us as if Macune had worked Polk as a jumping jack President and has had too much to do with shaping the Presidential policy for the editor of a mere National "organ." Polk has certainly deferred greatly to Macune's judgment, leaning on him, and Polk's organ, the *Progressive Farmer*, has held Macune's organ, the *National Economist*, up as a divine oracle and fills up from it every week. Whenever it wants to settle a question conclusively it copies a paragraph from the *National Economist*, and the argument is clinched. Now what Polk needs to do is to drop Macune and denounce him as a fraud and what the *Progressive Farmer* needs to do is to get somebody else to tell it what to say.

### Hard Road to Travel.

Senator Sherman, who has done as much as any other man to burden the farmers by his adroit work in behalf of bankers and capitalists, talking to a reporter for a New York paper said:

"The rise of the Farmers' Alliance is due to the fact that the farmers have had a hard road to travel of late. Agriculture has been wonderfully pushed and developed of late in India, in Australia, in South America, and indeed in all parts of the world. Besides, methods of farming have been so improved, that any farmer can produce now as much with one hour's labor as a few years ago he could have produced with three. Consequently prices have fallen, as the always do when competition increases and methods of production are improved. And this is what the farmers of the United States have felt all through. Absolutely, their condition has been improving instead of growing worse."

"Whether or not the success of the Farmers' Alliance will result in the enactment of what is called Farmers' Alliance measures in the next Congress, depends upon too many contingencies to make any prediction worth anything. They say that about fifty members of the next House, either Alliance men or endorsed by the Alliance, have been elected directly upon that issue. They will undoubtedly do all in their power to achieve the ends they aim at. How they will go about it I cannot say. They may form a third party or may coalesce with the Republicans. If they adopt the latter alternative, the Democratic majority in the House would soon disappear. They may possibly, through a combination with either the Republicans or the Democrats, manage to frame some measures in such a way as to secure the necessary support in the Senate."

"The measures, however, for which the Farmers' Alliance are calling are measures which cannot possibly succeed. Every country which has ever tried to get along with fiat money has gone to the wall. A country is on the road to ruin whenever it issues more paper money than it needs or more than has a solid cash basis behind it. There is no objection to a larger circulating medium provided it is redeemable in gold and silver coin. We have learned that all other currency is a failure. During the war we had to issue paper. It was

an imperative necessity, and I voted for the bill. After a while the value of the money began to decline until it was worth only 40 cents on the dollar. We had a great struggle to get back to par, but when we reached that point prosperity was assured.

### Prof. Alderman's Address.

*Express Correspondence.*  
The public address of Professor Alderman took place on Friday, Nov. 21st, at 11 o'clock. The audience was fair, though not so large as it should have been, nor as was expected. The speech had for its theme "Education and its effect on the nation."

There is nothing truer, said the orator, than that the ignorant always has been, and always will be, the slave of the intelligent. This is true of individuals, states and nations. Greece ruled Rome after she had been conquered by force of arms. It is hard for us to admit that we are slaves to anybody; but the whole United States is under industrial bondage to those of New England. When you hand a dollar across the merchant's counter, it does not require a very great stretch of the imagination to see that dollar begin to roll in the Northern direction, and it rolls on and on until it crosses the Potomac, and on the other bank stands a man ready to scoop it in. Close your eyes, and you can see these dollars rolling from every quarter of the Southern states, all in the Northern direction.

Some time ago a man in Georgia died. The clothes in which his body was laid to rest came from New York. The shoes that covered those feet which walk no more came from Massachusetts. The coffin in which he was lowered to his last resting place was made from a pine which grew in Maine. The nails which fastened the lid that hid his form from the eyes of his loved ones, were manufactured in Pennsylvania. And though the grave was dug through a bed of marble, yet the little stone erected at his head on which was carved his name and epitaph, came from a Northern quarry. And all that Georgia furnished on that occasion was the corpse and the hole in the ground. What must be done to emancipate our people from this galling bondage? Educate and elevate.

Nine out of ten of the children in North Carolina must attend the public schools or grow up in abject ignorance. Ignorance is the mother of poverty and crime. In Germany and Switzerland where illiteracy is unknown, there are no paupers. Can our State afford to allow a population to grow up, nine tenths of which will be illiterate? Public schools are not charities to the poor. The system means nothing but the state protecting itself against the evils of illiteracy. What is N. C. doing in this direction? She pays less per capita than any other state in union except S. C., and she pays less than any protestant nation on the globe.

A deserving tribute was paid to the Farmers' Alliance because they had demanded an increase of taxation for the support of public education. The speaker said that the time was when revolutions were effected by means of fire arms, the torch, rapine and plunder. But Christianity has so civilized the world that all great victories are won in the days of peace. If the Alliance should succeed in winning its fight, and fail to educate the children, the same battle that is raging now would be forced upon the next generation.

The Professor made an earnest plea for female education. Said he, "Educate the mother of the laud, and you may abolish the column for illiterates in the census reports. An educated mother will not and can not rear an ignorant child." He answered all objections so effectively that hereafter we shall feel like smiling at any opposition manifested to public schools.

He closed his address of something over an hour and a half with one of the most eloquent and pathetic appeals in behalf of the amelioration of humanity that it has ever been our fortune to hear. Much good has been done by his visit. His heart and soul is in the work, and as a result of his and his able colleague's labors, we expect some action by the next legislature that will place our schools on a firmer basis, increase the salaries of the teachers and the length of the school terms.

## DIRTY LINEN TO BE WASHED.

If the Alliance is to Live it Must Drive Out Such Fellows as Macune and Livingston.

*Special Dispatch to the Globe-Democrat.*  
ATLANTA, GA., November 19.—The Alliance leaders will have dirty linen to wash at Ocala week after next. The first senatorial election by an Alliance legislature is over. It leaves an ugly scandal. When the National Alliance Congress meets at Ocala the 1st of December this scandal will be aired. Charges against certain men who have been very prominent in Alliance matters are already being formulated. The whole affair speaks badly for the movement which started off so well.

It is altogether probable that Livingston, Macune and Sledge will be roundly denounced by Polk, the National President. It is not improbable that the three named will be dismissed from their official positions. Macune came down here to Atlanta from Washington, and with Livingston tried to fix up things for the election of an Alliance Senator. When these men began their work it was supposed that Gordon had no show at all. Livingston and Macune succeeded in getting twenty-eight Alliance members together. They called this a caucus and committed these members to Pat Calhoun. Mr. Calhoun is an entirely reputable gentleman. He is professionally connected with 3,400 miles of railroad. That he should be taken up as the Alliance candidate for Senator occasioned some comment. His interests were entirely with the corporations against which the farmers were supposed to have certain grievances. But the wisdom of the choice was not seriously questioned. It was thought Mr. Calhoun would be elected. The legislature was overwhelmingly Alliance. But a few days ago some very surprising information reached the officers of the Farmers' Alliance at Washington. The nature of this information was that Livingston, Macune and Sledge were not wholly disinterested and patriotic in their efforts to make Calhoun Senator. Certain railroad capitalists and their representatives were found to be in the deal. A large piece of Washington real estate was found to have a connection with the Georgia senatorship. It did not appear that Mr. Calhoun was concerned in any of the transactions, but a connection was strongly suspected between Wall street and the men who were trying to deliver the Alliance vote in the Georgia legislature. Since Friday certain Alliance members of the legislature have been receiving telegrams of a most emphatic character from national headquarters. They were warned repeatedly to have nothing further to do with Livingston and Macune. They were advised to drop Calhoun. It was suggested that a sudden concentration of the Alliance strength on Gordon was the best thing under the circumstances to defeat the intended deal. The advice was followed. Gordon was elected on the first ballot. Polk, the President of the National Alliance, is intensely bitter toward Livingston and Macune. He is said to have the evidence which will create a great sensation when the Alliance Congress meets. Nothing but summary dismissal of the unworthy leaders will satisfy Polk in his present mood. It is altogether doubtful if Calhoun knows what has been going on behind the scenes.

The Right Rev. John W. Beckwith Protestant Episcopal bishop of Georgia, died Sunday at Atlanta. Bishop Beckwith was born in Raleigh, N. C. in 1831. He graduated from Trinity College, Hartford, in 1855. He was ordained deacon in 1854, and ordained priest in 1855. His first pastoral work was done in North Carolina, but he soon moved to Maryland. At the beginning of the war he moved to Mississippi and had charge of the parishes in that State and Alabama until 1859, when he went to New Orleans and was rector of Trinity parish there until April 2, 1860, when he was consecrated bishop of Georgia.

C. S.