

THE SUPREME LAW

Should Be the Safeguard of the Commonwealth.

SAYS JUDGE WILLIAM S. BRYAN.

A Loyal North Carolinian, Now Of Maryland, Discusses the Salient Features of the Amendment.

Baltimore, Md., Nov. 27, 1899.

Hon. F. M. Simmons:

Mr. Chairman: Great sympathy with the people of my native State induces me to address this letter to you. I am deeply impressed with the vast importance of the public question which is now engaging their attention. The events of the last few years need not be mentioned except in a general way. It is not probable that they will be forgotten by those who witnessed their horrors. The courage of the people during the trying scenes preceding the last election, and their heroic forbearance under the greatest provocation, merit, and will always receive the highest praise. A grateful country will always highly honor the brave men who were leaders in the struggle for the welfare and happiness of the State. Their work was well begun, but it is not yet finished.

The public evils require a remedy fortified by public law. The wise and judicious men who framed the proposed Constitutional Amendment calmly and deliberately considered the great troubles which were oppressing the people of the State; and in the true spirit of enlightened statesmanship sought a remedy for them; dismissing from their minds the natural resentment caused by the enormous outrages which had been committed. They saw that the fruitful origin of mischief lay in the possession of the elective franchise by a large number of vicious and ignorant voters. They saw that these men readily became the victims and tools of unscrupulous demagogues. And they devised a scheme for the removal of this danger by the purification of the ballot-box. For this purpose they recommended to the people of the State an amendment to their organic law. The second, third and fourth sections of the proposed amendment contain the important matters which are submitted to the public judgment. The second section declares that no person shall be permitted to vote who has been convicted of a crime which is punishable by imprisonment in the penitentiary. The fourth section requires that every voter must be able to read and write any section of the constitution in the English language. The fifth section requires that no male person, who, on the first day of January, 1867, or at any time prior thereto, was entitled to vote under the laws of any State in the United States, wherein he then resided, and no lineal descendant of such person, shall be denied the right to vote by reason of his failure to possess the educational qualification prescribed in section four. It is believed that no objection has been made to the second and fifth sections; but the fourth and sixth sections have been severely criticised. Dismissing the consideration of convicts, these sections taken together describe the persons who are entitled to vote. Taking them negatively, they determine that no one shall vote unless he has the required ability to read and write; or unless he was a voter in eighteen hundred and sixty-seven, or a lineal descendant of such voter. Taking them affirmatively, these persons may vote who can read and write, and who were voters in eighteen hundred and sixty-seven, and the lineal descendants of such voters. The two sections taken together describe the whole body of voters. If they were dissociated from each other, they would give an imperfect view of the meaning of the amendment. If one of them is rejected, the other section would defeat the meaning altogether; and would provide that the voting population should not embrace the persons contemplated by the amendment. If the people adopt the amendment it will be their purpose that they both shall stand together. It would be idle to suggest that they could have any other meaning. It is plainly written that all those who vote who are named in these sections. No others are permitted. It is also plainly written that none shall vote who are forbidden by these sections. Those are designated who are considered worthy of the elective franchise; who can be safely entrusted with the highest privilege of citizenship. Unlettered men are not treated like outlaws. They are often as other men exhibit in their lives the qualities of honesty, virtue and patriotism and very frequently in ordinary business and in practical wisdom they far excel the mere student whose life has been immersed in books. Let us take an example of such men; and we will take it at random without any special care in making a selection, providing only that he shall be an average man of his class. As is well known, he is honest, industrious, faithful to his word, keenly alive to his rights and determined to maintain them. Visit his home, and you will see a happy family growing up around him; his wife cheerfully and faithfully performing her part as his helpmate, sharing his joys and lightening the burden of his sorrows; and his children walking in the footsteps of their parents, preparing for lives of virtue and usefulness in their day and generation. Children reared under the daily influence of such homes and firesides, though their lot be cast in poverty and hardship, have an inheritance more precious than gold. When such a man as I have described has voted for thirty years he has probably heard a great many public discussions, in which the speakers have earnestly set forth the arguments for and against the measures to be decided by the results of popular elections. Naturally he would also make them the subject of frequent conversations with friends and neighbors. There is no difficulty in obtaining full information

respecting public affairs anywhere in North Carolina. What would be the result? Certainly that he would have all the means necessary for an intelligent decision of the questions submitted to the public judgment. There can be no doubt about his wish to decide right and honestly. As little doubt can there be about his capacity to do so. Who then can be so bold as to allege that he is not worthy that he should vote? Who would assert that he would use the elective franchise so as to endanger the public welfare? His sons, brought up under his eye, would be apt to inherit the virtues of the father; and they in turn would transmit them to their sons. The hereditary descent of the domestic virtues, and of love of country, may be readily traced in numerous and familiar instances. It may be asked whether the training in the stern discipline of adversity as has been described, would not strengthen and elevate character more than the small amount of education required to read and write a few sentences in the English language. It is difficult to suppose that anyone would answer this question in the negative. But if there be any such person let me refer him to living examples everywhere around him. It was said of a valiant American officer of our Revolutionary War that he could neither read nor write. Yet he successfully led his men in many a desperate enterprise, and on many a bloody battlefield his daring deeds won unstinted fame and glory. His cheering presence was an assured presage of victory for friends, and defeat and disaster to foes. How could there be such a man not worthy to vote? There is no brighter page in history than that which records the struggle of a few hundred Swiss peasants against thousands of the bravest and best disciplined soldiers of Europe. These poor men, unlearned in books, loved their freedom, and in defence of it, fearlessly fought against odds thought to be irresistible. Their triumph was marvellous and the world resounded with their praises. Will any one dare say that they should lose the right to govern their country which they loved and served so well? How could they have any part in its government unless they voted?

It is surely superfluous to argue to a free people that they have a right to provide by law the peace, order, happiness and good government of their own country. If they have not this right, they have lost their liberty. The most beneficent and effectual exercise of this right is to exclude unworthy persons from all share in the governing power. The source of this power is the ballot box. Up to this time the State of North Carolina has already freely and without question regulated the elective franchise. By the Constitution of seventeen hundred and seventy-six, no one was allowed to vote for members of the Senate unless he owned fifty acres of land. Many now living recollect when this restriction was removed. Up to the year eighteen hundred and thirty-five free negroes voted; although their right was much questioned. By the amendments proposed in that year and adopted by the people, they were disfranchised. The people are now, and of right ought to be as free as their fathers were in seventeen hundred and seventy-six; although in some instances their rights have been down-trodden and abused. It is supposed by some that popular right has been infringed by the present amendment. I have endeavored to show that they are both valid. But any alarm about the separation of these sections is needless. They are both parts of one complete system; without both of them standing together the effect and significance of the system would be destroyed. By them it is declared who are entitled to the suffrage; that is to say, those who can read and write and those who have voted for thirty years and their lineal descendants. These two classes compose the body of electors. Now does not the fact that there is an absolute contradiction of terms in saying that only one of these classes shall be included in the body of voters? Can anything be more manifest? If a court of justice is ever called upon to construe this amendment it will be its duty to ascertain its meaning. Since justice was first administered on earth, no court has ever decided that an instrument designating two classes means to designate only one of them. Suppose a man should state in his will that his property should be divided between his two sons, John and James. Is there any system of legesim and chicanery by which this will can be tortured into meaning that only one of the sons should have the property? If one of these sections should be construed to be valid and the other invalid, the whole amendment should be set aside as null and void. Because in its mutilated condition it would not fulfill the purpose and intention of those who adopt it. And to establish such a mutilated amendment would be making an addition to the Constitution for the people, essentially contradictory to the one which they had adopted for themselves. Nothing so preposterous is possible. Of all instruments, it is most necessary that Constitutions adopted by popular vote should receive the meaning intended according to ordinary methods of thought by persons engaged in the ordinary business of life. In State vs. Mace, 3 Maryland, page 351, it is said: "Although it is a well recognized canon of construction that where legal terms are used in a statute they are to receive their technical meaning, unless the contrary plainly appears to have been the intention of the legislature, the principle, however, does not apply to the interpretation of the organic law, which is to be construed according to the acceptance of those who adopted it, as the supreme rule of conduct both for officials and individuals." In Bandel vs. Isaac, 13 Maryland, 223, the court says: "The words in such an instrument (the Constitution) ought to be taken in their ordinary and common acceptance, because they are presumed to have been so understood by the framers, and by the people who adopted it." See also Manly vs. State, 7 Maryland, 147.

Though long resident beyond the limits of the State of North Carolina, I am connected with many of its citizens by the tenderest ties of kindred affection and friendship. I take deep interest in whatever concerns the welfare and happiness of its people. I know that they are worthy of the choicest blessings which Heaven ever bestows on mankind. They deserve an administration of public affairs which shall comprehend in its social and political benediction "whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue and if there be any praise." I most fervently hope that the people of the State may adopt this most wise, just and salutary amendment, and secure good government to themselves and their posterity forever and forever.

WM. SHEPARD BRYAN.

Nov. 27th, 1899.

STANDPOINT OF TWO AGES.

The Years You've Lived Makes a Difference in the Outlook.

"Did you ever notice," asked the older member of the group, leaning in to the gas log at the club, "or rather, have you not always noticed the markedly different effect upon the mind exerted by the coming of the September equinox and that of March? The arrival of the fall equinox seems to fill the whole human tribe with gloom; that of the spring with impatient joy. I contend that these effects are universal and that their causes are peculiarly simple. Of course, I am talking about latitudes approximating our own. In the decline of the year, as the sun is rushing south, as the leaves are growing gray and wrinkled, as the days wane and the nights wax, when no longer one can comfortably sit out of doors, the arrival of the raw September days which are chilled and dampened, fills the sensitive soul with anticipatory dread. These heralds of the stiffening year, about to be laid on its slab, like a corpse in a morgue, give warning not only that the melancholy days are come, but that the long northern winter, chill, desolate and forbidding, will soon begin. It is different in middle March. Then the patter of the dropping rain holds out a promise. The song birds are seeking sunny homes again. The reviving grass and the tender mounds which burgeon upon the sap-thrilled branches of the awakening trees speak the incensed language of life and love. The restorer brooks babble that they have thrown off their shackles. Daily the sun burns more ardently upon all the phases of the stirring earth. The air is full of promise. Man feels, hope again, and divine thrills, born he knows not why, move the deeper fountains of his heart." The talker paused and those who listened looked duly impressed by the depth and poetic beauty of his sentiment. That is, they did until an idol-breaking youth of 20, who hopes to captain his eleven this year, a red thing of brawn and blood, broke in with a characteristically phrased objection: "Say, major," said he, "that's all guff, don't you know. Winter's the time of all the year. Then's when a real man really has real joy. Didn't you ever skate ten miles on crinkly ice, with your best girl, hand in hand, drive her behind tinkling sleigh bells, to the time-beating fact of fast trotter, and drive with one hand at that? What's the matter with old Thanksgiving day, and the game on the gridiron, or with merry Christmas and New Year's? Look at the balls and the operas and the dinners and the bear-tie dances." "Say, major," you've said wrong. All these September heralds of melancholy you've talked about are heralds of fun. How about it, flows?" The major looked long and languishingly upon the young man's glowing face. His voice shook a little as he put his wrinkled hand upon the young man's shoulder. "It's all in the point of view, my son," he said. "Once I was young, and now am I old," said the brew of wisdom.

Whisky and Coffins.

Capt. Slocum, who is telling in the Century of his voyage around the world alone in a little sloop, the Spray, was familiar with most of the ports in which he found himself on his journey of 46,000 miles. One of these was Buenos Aires. There he looked in vain for the man who once sold whisky and coffins in Buenos Aires; the march of civilization had crushed his memory only clung to his name. "Enterprising man that he was, I had would have looked him up. I remember the tiers of whisky barrels, ranged on end, one side of the store, with on the other side, and divided by a main partition, were the coffins in the same order, of all sizes and in great numbers. The unique arrangement seemed in order, for as a cask was emptied, a coffin might be filled. Besides cheap whisky and many other liquors, he sold 'cider,' which he manufactured from damaged Malaga raisins. Within the scope of his enterprise, was also the sale of mineral waters, an entirely blameless of the germs of disease. This man surely catered to all the tastes, wants, and conditions of his customers."

A Perfect Foot.

New York Tribune: Anatomists say that a perfect foot is as long as the bone in the forearm, which extends from the wrist to the elbow. This is the measurement accepted by artists. Arms are sometimes out of proportion. It is true, but rarely, and the disproportion is usually in the direction of deficient rather than of excessive length. In such case it will be found generally that the foot, also, is too short for the stature of the person.

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AGRICULTURAL.

To Protect Trees.

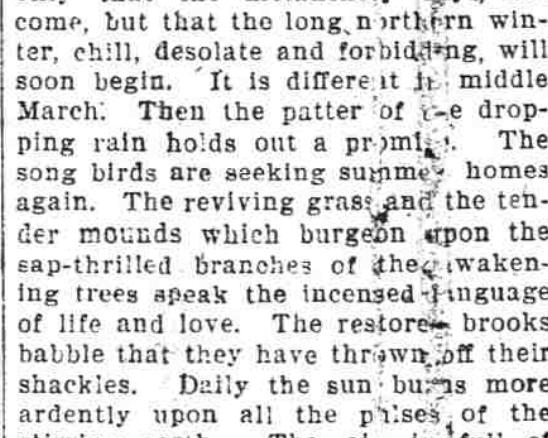
The Texan way of protecting trees from rabbits and insects is to stir a teaspoonful of Paris green into a gallon of white lead paint. Scrape the dirt away from around the trunk down an inch or two and apply the paint with a brush and up to about a foot and a half. Scrape back the dirt to the trunk and press it close. Young trees should be painted before setting. This prevents attacks but does not destroy insects already in the tree.

Storing Potatoes.

Dig potatoes as soon as the skin will not slip, as this gives them a bad appearance. The only precaution necessary when digging is to take care not to cut or bruise them. Have a good digger. There are several on the market. I prefer an elevator digger, which leaves the potatoes all on top, free from vines. When the potatoes are taken from the field they should be assorted by running them through a potato screen having holes 1 1/2 inches square, which obviates extra handling. The small ones can be used for seed. Do not allow potatoes to lie exposed to the sun long after they are dug, as it will injure the quality. Potatoes keep best at a low temperature, a little above freezing. Many are spoiled by keeping them in a temperature that is too high. I keep mine in cellars which are built with building tiles, thus providing air spaces. The bin should not be too large. A bin that will hold 200 bushels is large enough. When I store them in the cellar I sprinkle them freely with air-sifted lime, which prevents them from rotting.—Ira Graber, in The Epitomeist.

Securing Haystacks.

Where animals are allowed to feed at the stack there is danger that they may undermine and become suddenly buried under it. To avoid danger,



KEEPING THE HAYSTACK FROM FALLING.

put a stout pole in the center of the stack, allowing the top to project. To this attach three ropes or small chains and carry them out to stout stakes driven in the ground, as shown in the accompanying illustration.

Test Your Cows.

A method for determining the milk value of each cow is now within the reach of all farmers. They have learned to demand that the Babcock test shall be used to determine how much butter fat there is in the milk they send to the factory in order that they may be justly paid for it. This same desire for fair play should be extended to the cows. Each one of them should be given an equal chance to demonstrate her butter-producing capacity and to have it measured by the same method of weighing and testing her milk that the farmer requires of the factory.

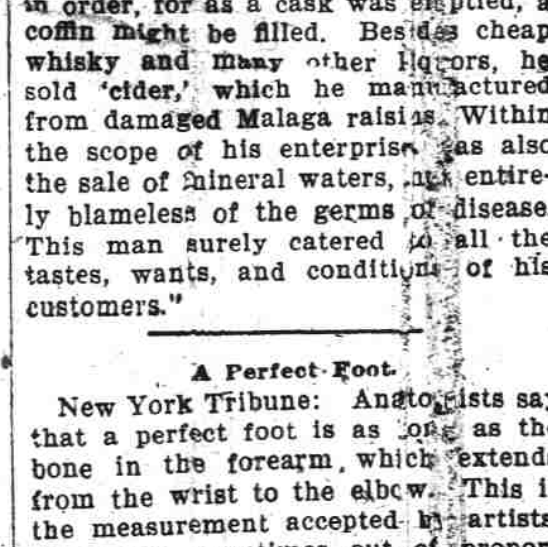
The farmer who wishes to keep cows that will support him and does not intend to work for the purpose of supporting his cows needs to understand that:

First—If 150 pounds of butter only pays for the yearly feed and care of a cow, then one producing only this amount or less is not paying a profit.

Second—One cow is often worth twice as much as another, or more than two cows, although there may not be a very marked difference between the total annual production of two cows. This may be illustrated by comparing the record of a cow that produces 125 pounds of butter with one producing 150 pounds. The former yields twice as much profit as the latter, provided 150 pounds represents the amount necessary to pay for feed and care, and a 250-pound cow makes twice as much above expense as one with an annual production of 200 pounds of butter.—Wisconsin Experiment Station Bulletin.

A Winter Gate.

A gate that must be used in winter is often opened and shut with difficulty when the snows become deep. If the hinges are made according to the plan shown in the accompanying illustration the gate can be raised continually as the snows become



HINGE FOR RAISING THE GATE TO AVOID DEEP SNOW.

deeper and deeper. The long part of the hinge is made of a rod of iron that will turn easily in the eye of the other

GOOD ROADS NOTES.

A Bulletin by State Engineer Bond.

State Engineer Bond, of New York, is paying great attention to the matter of construction of good roads and has just issued a bulletin calling attention to the necessity of care after the roads are constructed. He says: Roads in the country are continually subjected to the action of the elements, the wear of the wheels and horses' feet, and the continual pounding it receives from passing loads. Therefore after a road has been accepted by the State Engineer as completed, and turned over to the officers of the county, it is then that the duties of the officers really commence, and it depends on their efforts as to what the life of the road will be whether they spend the money wisely on maintenance, or will allow the road to deteriorate and make expensive repairs necessary. As no provision has been made in the Higbie-Armstrong bill for such maintenance, aside from the provisions in section 13: "All persons owning property abutting on such road so improved, or residing thereon, shall thereafter pay all highway taxes assessed against them in money, in the manner now provided by," it may be well to consider the various methods in vogue by which roads can be kept from deteriorating. This subject is so well understood in European countries that we need look no further for the cause of the excellence of their roads.

Three systems exist:

- (1.) By contract with private parties.
- (2.) By the aid of the rural population, and
- (3.) By the men employed for that purpose by the community.

Of these three, only the third proposition is the proper one. This is the system used by France and Germany, the objection to No. 1 being that it has been tried and found wanting; to No. 2 the aid given by the rural population is not applicable to the maintenance of an improved road, as such a road needs the supervision of a man perfectly familiar with this class of work, and such a one can only gain this familiarity by being constantly and permanently employed. Men who have been given charge of a piece of road soon become interested in it, and will strive energetically and intelligently to make their portion of the road the best. It would seem advisable, therefore, that the third proposition should be adopted by the supervisors of the county in which the improved road is situated. That is, a man should be appointed and employed permanently, who should have the road or a certain portion of it in his charge, and who, under the supervision of the officers of the county, should be responsible for its maintenance.

Cholera is contagious and extremely fatal when it attacks a flock of fowls.

It is caused from overcrowding, bad sanitary arrangements, unwholesome food, and from various other causes. It is a disease about which very little is known, and one which is often mistaken for some other. The first symptoms are drowsiness, accompanied by thirst; the fowl, in moving about, having a slow, unsteady gait, with heavy and labored breathing. The comb and wattles lose their natural color, usually becoming pale, though sometimes turning almost black. The fowls have diarrhea and the crop fills with mucus, thus preventing the food from digesting. On first appearance the coops and yards should be given a thorough cleaning, and every part sprayed with crude carbolic acid. Separate the afflicted fowls and burn the bodies of any that may have died. One of the most successful remedies, and one which at the same time involves but little expense, is kerosene. In one gallon of cornmeal put one gill of kerosene, and mix thoroughly with warm water. This should be sufficient for fifty hens and should be given every other day to those that show the least symptom.

CANKER.

Canker is caused from filthy quarters and unwholesome food, and is readily distinguished by small ulcers in mouth and on head, and a watery discharge from the eyes. Wash the head and mouth with warm water and castile soap, after which anoint with carbolic vaseline, repeating the operation daily until a cure is effected.

CROP BOUND.

Crop bound can hardly be termed a disease, it being simply an obstruction of the channel through which the food passes from the crop to the gizzard, and may be variously caused—a bone, hard, dry grass—in fact many things will produce the trouble. A teaspoonful of castor oil will often afford relief, or an opening may be made in the upper part of the crop and the foreign substance removed. After treatment feed lightly for a few days.

GAPES.

Gapes are undoubtedly caused from filthy surroundings, and are nothing more or less than small worms which establish themselves in the windpipe and strangle the chicks. They are always found in chicks at from two to six weeks of age, and the best remedy is prevention. Chicks that have a nice grass plot to run over never have gapes, but should any symptom appear give each chick a small piece of camphor the size of a grain of wheat, daily for four days, and put a few drops of turpentine in drinking water.

LEG WEAKNESS.

Leg weakness, unless hereditary, is caused from overfeeding, always attacking the large breeds. A pill, made of one grain of sulphate of lime and half a grain of quinine, given three times a day, will afford relief, unless the fowl is totally unable to walk, in which case there is scarcely any medicine that will result in a cure.

SCALY LEGS.

When scaly leg makes its appearance the whole flock will be attacked, unless prompt remedies are applied. The trouble is caused by a small parasite, which burrows under the scales on the legs. An application of sulphur, lard and kerosene in equal parts daily for two days will promptly arrest the trouble. Kerosene should be poured over roosting perches at least weekly, and there will be no need of other remedies. Remember that all diseases have their origin in neglect, either as to food or care of surroundings. Few of us will admit that such is the case as applied to us, but facts are stubborn, and if we will go carefully over our work we will surely find that we have in some way failed to comply with the laws of nature as required in poultrydom. Lime is cheap, and is one of the very best disinfectants and purifiers of foul surroundings that we can find. In fact lime is indispensable in the poultry yard, both as a whitewash and to be used dry, sprinkled over the floor and ground. Guard against neglect in every form and there will be little use for remedies, and a sick fowl will rarely ever be seen.

GOOD ROADS NOTES.

A Bulletin by State Engineer Bond.

State Engineer Bond, of New York, is paying great attention to the matter of construction of good roads and has just issued a bulletin calling attention to the necessity of care after the roads are constructed. He says: Roads in the country are continually subjected to the action of the elements, the wear of the wheels and horses' feet, and the continual pounding it receives from passing loads. Therefore after a road has been accepted by the State Engineer as completed, and turned over to the officers of the county, it is then that the duties of the officers really commence, and it depends on their efforts as to what the life of the road will be whether they spend the money wisely on maintenance, or will allow the road to deteriorate and make expensive repairs necessary. As no provision has been made in the Higbie-Armstrong bill for such maintenance, aside from the provisions in section 13: "All persons owning property abutting on such road so improved, or residing thereon, shall thereafter pay all highway taxes assessed against them in money, in the manner now provided by," it may be well to consider the various methods in vogue by which roads can be kept from deteriorating. This subject is so well understood in European countries that we need look no further for the cause of the excellence of their roads.

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Cost of a New York Road.

The speakers at the recent farmers' congress illustrated the working of the New York law by citing one road in Oneida County. The total cost was \$14,686. Of this the State pays \$7343, the county \$5140 and the property benefited \$2202. The fifty per cent. paid by the State comes out of the \$50,000 raised by the law and amounts to one cent on \$1000 of assessed valuation for each taxpayer throughout the State. On the assessed valuation of Oneida County each taxpayer paid 6 1/2 cents on each \$1000 to raise the thirty-five per cent. paid by the county. So that each taxpayer in the county of Oneida paid 7 1/2 cents on each \$1000 of assessed valuation for the road in question, in addition to which the remaining \$2202 will be paid by the owners of the property benefited by the improvement. The class of work contemplated by the New York law consists of grading the road to established grades, constructing drains and culverts and laying a six-inch macadam surface.

Benefits of New Jersey's System.

As most of the wealth of the State is to be found in the cities, the New Jersey system successfully brings about the construction of improved gravel or stone roads without laying their entire cost upon the farmers, and without requiring them to contribute more than an equitable share of expense according to the wealth of each individual taxpayer. The State aid system successfully answers the objection still made by many; that we cannot have good roads without overloading the farmer with taxes, of which he is already paying more than his share.

The Anti-Rut Agitation In Brief.

In Berlin all street repairing is done at night.

There are 604 road associations in Pennsylvania.

It is the narrow tire that is destroying our roads. As soon as the rains soften them the narrow tires cut like a knife.

If the farmer wants good roads, and we know that he wants them, he should insist upon State aid in their construction.

Other things being equal, the nation possessing the best facilities for transportation and distribution of its product will take the lead. The bicycle has been instrumental in bringing before the public the vast importance of better highways.

"I do not believe," says an expert, "that there is, or ever will be, a country road constructed that will stand the narrow tire. A five-inch tire, however, will press and make the surface still more solid, especially when the road is softened by rain, instead of cutting as a narrow tire does."