

THE CONSTITUTIONAL AMENDMENT

Able Discussed in The Senate of the United States.

SENATOR PRITCHARD GIVES MANY REASONS

Why It Should Not Be Adopted.—Intended to Disfranchise Poor and Illiterate White Voters. Will Establish Rule of the Classes Instead of the Masses.

THE INFAMOUS ELECTION LAW ENACTED FOR THE PEOPLE OF THEIR RIGHTS.

In the Senate on Monday Senator Pritchard replied to the speech of Senator Morgan on the proposed Suffrage Amendment in North Carolina. The speech is a very exhaustive one, and the Caucasian Regrets We Cannot Spare the Space to Print It Full. The Extracts Given Below Comprise About One-Half the Speech:

Mr. Pritchard. Mr. President, I have carefully considered the speech of the honorable Senator from Alabama on the pending resolution. He has discussed the questions at issue with great ability, and has displayed that splendid ability which he brings to bear upon all the important questions that come before this body for consideration.

The distinguished Senator undertakes to show that this body does not have jurisdiction of the questions involved in the resolution. He says that the next breath he insists that it relates to a question which in his judgment is now before the country for solution by popular suffrage. He says that it is a question which is not to be decided or evaded in the coming election. In dealing with this particular phase of the question, he says:

"To refuse now to consider this question is to draw the country into a vortex of angry and dangerous excitement, such as seriously endangered the Republic in 1876 and 1877."

It is my opinion that the question does involve the peace and welfare of the nation and the stability of our institutions. It does seem to me that no more important question will be presented for our consideration during the present session of Congress.

Article 4, section 4, of the Constitution of the United States provides as follows: "The United States shall guarantee to every State in the Union a Republican form of government, and shall protect each of them from invasion, and against all domestic violence."

In reading the foregoing provision of the Constitution it will be observed that it is the duty of the United States to guarantee to each State a Republican form of government. The language of the constitution is mandatory, plain and unequivocal. It is the duty of the executive when the legislature cannot be convened against domestic violence.

"If the right thus given to the States is taken away by the fifteenth amendment, as I do not believe that it is, the power of Congress over the subject is repeated. The States, under the amendment, and it stands as the sole authority to deal with the subject, to be exercised at the discretion of Congress. It may be that a power is given to Congress to deprive the States of the right reserved in the fourteenth amendment, but if so, it is only a power and Congress is not bound to use it."

"Unquestionably this legislative power is political and is not judicial, and it conveys no vested right in the negro race to vote that can stand against the power of Congress to permit a State to disqualify them by refusing to proceed to enforce their demand for the ballot."

by the Democratic party. Thomas C. Humphreys, J. A. Kelly, A. Mason, W. P. Welsh, R. D. Whitely, A. Mason, Lord, L. A. Mason, and W. J. Osborne, all Democrats, voted for the ratification of the fifteenth amendment.

If these distinguished Democrats at a time when the colored race had just been emancipated and was in a helpless state of ignorance thought it wise and proper that they should exercise the right of suffrage, I assume that an right in contending, after a lapse of thirty years, that it is our duty as representatives of the American people to use all means in our power to secure the proper enforcement of the fifteenth amendment.

If the Senator from Alabama is right in his contention that the negro is not entitled to exercise the elective franchise, the Democratic party should have the manhood to propose the abrogation of the fifteenth amendment. This would raise the issue for which the Democratic party should have an opportunity to pass upon the question—the only lawful method by which the colored people can be deprived of the rights which are guaranteed to them by said amendment.

Judge Story, in his great work on the Constitution, shall discuss the question of the constitutions of government if they are to rest upon the plain import of their words, but upon certain enlarged and restrictive construction temporary expedients and interests of the day. Let us never forget that our constitutions of government are solemn instruments, made for the common good of the people, and designed to fix and perpetuate their rights and liberties. They are not to be frittered away to please the demagogues of the day; they are not to be violated to gratify the ambitions of political leaders—they are to speak in the same voice now and forever. They are no man's private iniquity; they are ordained by the will of the people and can be changed only by the sovereign command of the people."

And until the majority of the Amendment shall discuss the abrogation of that amendment, the States are powerless by constitutional enactment or otherwise to do that which is a discrimination against any class of citizens, on account of race, color, or previous condition of servitude.

Justice Swaine in the slaughter-house cases, referring to these amendments among other things, said: "Fairly construed, these amendments may be said to rise to the dignity of a new Magna Charta."

On page 18 of the supplement, in discussing the question as to whether or not the proposed amendment would disfranchise any of the voters in that State, among other things I find the following: "It is the poor man's party. Ninety-nine out of a hundred of the voters who are in the majority are poor, and the party is intended to crush out the principles of Republicanism. It is likewise intended to eliminate those who are not willing to submit to the rule of the machine."

Notwithstanding the many pledges made by the Democratic party to induce the citizens of that State to vote for them and thereby enable them to obtain control of the legislature, we are presented with a proposition to disfranchise the poor and illiterate classes of both races. It is my judgment, in my opinion, that the proposed amendment is intended to crush out the principles of Republicanism. It is likewise intended to eliminate those who are not willing to submit to the rule of the machine.

There is much in the proposed amendment which is calculated to excite apprehension and alarm among the people of North Carolina, as well as among the colored race. It is only the rich class of people, and those who are engaged in business in the towns and cities, who can promptly pay their poll tax before the first day of March in each election year.

I am informed that the framers of the amendment, after they had inserted the educational qualification in the proposed amendment, it is necessary for each citizen of North Carolina to answer this question: How many months of school have you attended since you were sixteen years of age? If you cannot answer this question, you are not qualified to vote. It is my judgment, in my opinion, that the proposed amendment is intended to crush out the principles of Republicanism. It is likewise intended to eliminate those who are not willing to submit to the rule of the machine.

proposed to disfranchise any citizen of that State. They sought to show that it was unconstitutional, and that it was intended to give the Democratic party an unfair advantage in the election. They argued that the amendment would deprive the poor and illiterate white voters of the right of suffrage.

"There is not a Democratic convention that would not split upon the man who would attempt to make such a proposition."

"What proposition? The proposition to submit to the people a proposed amendment to the Constitution which should have for its object the disfranchisement of the negro. It was not only the Democratic committee that made these pledges, but almost every Democratic Republican in the legislature made pledges to the voters in their respective counties that, if elected, they would oppose any and all measures that would be presented for the disfranchisement of any class of our citizens."

"I do not wish to be understood as saying that every Democratic leader in that State will not stand with duplicity in dealing with our people; because there are several honorable exceptions; and notable among these are our distinguished professor, the Hon. John G. Caldwell, of Wake County, and our distinguished lawyer, the Hon. W. W. Holden, of Johnston County. So long as he remained at the helm of the Democratic party in North Carolina, and attempts to disfranchise the poor and illiterate classes of both races were futile. I am informed that on one occasion it was proposed by that element of the Democratic party which dominates its actions to pass an election law which would enable them to manipulate to shew the will of the majority of the people; that he went in person to the city of Raleigh, and by his wonderful influence prevented the consummation of the conspiracy to deprive the people of their rights."

"It is a remarkable fact that the moment Senator Vance passed away the element of the Democratic party which had been held in check by his influence of once asserted itself and assumed the control of the party machinery in that State."

"If we are to profit by the lessons taught by the election methods in the States of North Carolina, Louisiana, and Mississippi, the proposed amendment is a disaster. It is only the rich class of people, and those who are engaged in business in the towns and cities, who can promptly pay their poll tax before the first day of March in each election year."

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"There are perils attending the submission of this amendment, which, in my judgment, can not be escaped by the poor and illiterate white people of North Carolina, and which make this declaration call attention to the fact that in the event the Supreme Court of the United States should decide in favor of the amendment, the class of the proposed amendment is unconstitutional, there is danger that they may go a step further and decide that the educational and poll-tax qualifications can properly be segregated from the other provisions, and thereby permitted to become a part of the organic law of our State, and as such apply to all classes and races of people alike, and as a result thousands of white farmers and laboring men would be disfranchised and denied the rights for which their ancestors fought at Kings Mountain and Guilford Court House."

character and standing, with sufficient intelligence to vote and to understand the questions that may be submitted to the American people for their consideration. I want to suggest, to those gentlemen who like Tarleton, would cast a reflection upon them and deprive them of their liberty as Tarleton proposed, that they must not forget the fact that although they may not be able to read and write, they are men, and they are men who perform the greater portion of the public duties required by the State."

"In time of peace they are required to pay poll tax and work the roads, and in time of war they sacrifice their health and risk their lives in defense of our people. The State of North Carolina has not afforded her citizens proper education facilities in the past, and as a result we have a large per cent. of illiterate, and the Democratic party, having been in control of the State for a greater portion of the time since the war, is responsible for this deplorable condition of affairs, and it is cruel and inhuman in the leaders of that party to attempt to deprive the people for that which they can not help."

"I call attention to the following letter written by Prof. C. H. Mebane, superintendent of public instruction of the State of North Carolina, which clearly indicates the deplorable condition of the public school system in North Carolina. Among other things he says: 'The percentage of the white population are unable to read and write. We can not hope to reduce the percentage of illiterate whites, with our present facilities, between now and December, 1900, the period at which time it is provided the proposed amendment shall apply to the population of the State.'"

"Mr. Mebane in his letter says: 'In reply to your letter, will say as to Hittaway I can only give you the figures taken from the Census Reports of 1890, which are as follows: Illiteracy of the whole population of North Carolina, 36 per cent. Illiteracy of white population, 59 per cent. Percentage of school children in North Carolina according to Educational Report of this Department enrolled in schools was in 1898, 62 2-10 per cent. of the population, and 64 1-10 per cent. of school population in average attendance on school was in 1898, white, 34 7-10; colored, 32 3-10 per cent. Average length of school term, 10 weeks or days was in 1898, white, 14-18 weeks, or 71 days; for colored, 12-15 weeks, or 61 days. Total expenditure for schools for the school year ending June 30, 1899, was \$1,079,447. Number of insolvent white polls was 29,976. Number of insolvent colored polls was 18,223.'"

"We need \$336,000 for three and one-half months school, and this pays only a salary to teachers of an average of about \$25 per month."

"Even at the low prices paid teachers, the State of North Carolina is not able to pay their salaries. It is my judgment, in my opinion, that the proposed amendment is intended to crush out the principles of Republicanism. It is likewise intended to eliminate those who are not willing to submit to the rule of the machine."

"I know of many citizens whose names are on the insolvent list whose character and standing is as good as ruined. They have never acted offensively, and I am sure that if a census could be taken at this time it would disclose the fact that the white people outnumber the negro in this State. According to the census of 1890, the whites outnumbered the negroes more than two to one, and no intelligent citizen of North Carolina can be ignorant of the fact that there are some 200,000 white North Carolinians in danger of being dominated by one negro."

"It is absurd to contend that there is any danger of negro domination in North Carolina, of the very nature of things it can not be. From the earliest dawn of civilization to this good hour the great white race has given to the world its history, its philosophy, its laws, its government, and its Christianity, and it will continue to do so. The colored people of my State in the main are contented and well satisfied. They have never acted offensively, nor have they shown a disposition to interfere with the white people in the management of the State's affairs. It is true that there are some exceptions, but in no instance has the conduct of the negro been of such a nature as to challenge the serious consideration of the white people. I take colored men. In other words, on the subject of the proposed amendment, I do not believe that there are any men who are unable to read and write and to be placed upon a level with the colored man, who, they contend, is a degraded being. It is in the slightest degree affect the race question. The Democrats will always contend that there is a race question so long as any number of negroes vote against the Democratic party."

(Continued on Fourth Page.)