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SPECIAL REPORT

OF THE

EXECUTIVE COMMITTEE

TO THE

Baltimore Reform League

ON THE

POE AMENDMENT,

PRESENTED AT THE

ANNUAL MEETING,

April 19th, 1905.

Officers and Executive Committee
OF THE
BALTIMORE REFORM LEAGUE.

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Special Report of the Executive Committee concerning the proposed Amendment to the Constitution of this State, generally known as "The Poe Amendment."

To the Baltimore Reform League:

At the last session of the General Assembly a bill was passed to submit to the qualified voters for adoption or rejection at the election to be held next November an amendment to the Constitution of this State, which has become generally known as "The Poe Amendment:" for the sake of clearness and convenience this name will be given it in the present report.

All previous bills submitting proposed amendments to the present Constitution had been presented to the Governor of the State for his signature, but this bill was not thus presented. The reason for not adopting the customary procedure in this instance became obvious when Governor Warfield sent a special message to the Senate stating that the measure had not his approval for several reasons, and especially because its adoption would be "liable to cause grave abuses through the prejudices and whims and the partisan zeal of the Registration Officers." The failure to present the bill to the Governor caused doubts as to its validity; but, since these doubts have been removed by a decision of the Court of Appeals, it is the duty of all patriotic citizens, and, more especially, in the view of the Executive Committee, the duty of the Baltimore Reform League, which was formed, first of all, "to secure fair elections in the State of Maryland, and especially in the City of Baltimore," to aid our voters to deal wisely and righteously with the grave questions involved in the change thus proposed in the organic law of our State.

I. THE PROPOSED CHANGE.

Article I, Section 1, of the present Constitution of Maryland, reads as follows:

"All elections shall be by ballot; and every male citizen of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the Legislative District of Baltimore City, or of the County, in which he may offer to vote, for

six months next preceding the election, shall be entitled to vote, in the ward or election district in which he resides, at all elections hereafter to be held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates or other Officers, then, to entitle a person to vote for such officer, he must have been a resident of that part of the county, or city, which shall form a part of the electoral district, in which he offers to vote, for six months next preceding the election; but a person, who shall have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed."

The Poe Amendment proposes to substitute for this section the following:

"All elections by the people shall be by ballot. Every male citizen of the United States, whether native born or naturalized, of the age of twenty-one years or upwards, who has resided in this State for one year and in the Legislative District of Baltimore City, or in the County in which he may offer to vote for six months next preceding the election, and who, moreover, is duly registered as a qualified voter as provided in this Article, shall be entitled to vote in the Ward or Election District in which he resides at all elections hereafter to be held in this State; and in case any County or City shall be so divided as to form portions of different electoral districts for the election of Representatives in Congress, Senators, Delegates or other Officers, then to entitle a person to vote for such officer, he must have been a resident of that part of the County or City which shall form a part of the electoral district in which he offers to vote for six months next preceding the election, but a person who shall have acquired a residence in such County or City, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed until he shall have acquired a residence in the part of the County or City to which he has removed. Every such male citizen of the United States having the above prescribed qualifications of age and residence shall be entitled to be registered so as to become a qualified voter if he be

First. A person able to read any section of the Constitution of this State submitted to him by the Officers of Registration and to give a reasonable explanation of the same; or if unable to read such section is able to understand and give explanation thereof when read to him by the registration officers; or

, Second. A person who on the first day of January, 1869, or prior thereto, was entitled to vote under the laws of this State or of any other State in the United States wherein he then resided; or

Third. Any male lineal descendant of such last mentioned person who may be twenty-one (21) years of age or over in the year 1906.

No person not thus qualified by coming under some one of the above descriptions shall be entitled to be registered as a qualified voter, nor be entitled to vote."

It will be observed that the proposed new section differs from the present provision, first, in some changes of language, which probably do not materially modify the sense; and, secondly, by restricting the suffrage to persons possessing qualifications of birth, descent or capacity; this restriction alters gravely, even fundamentally, existing provisions of our Constitution on this subject.

2. IMMATERIAL MODIFICATIONS.

Noting, first, the changes in phraseology, while the present Constitution says: "All elections shall be by ballot," the Poe Amendment interpolates the words "by the people," so that the passage will read: "All elections *by the people* shall be by ballot." The purpose of the change is not obvious: if "by the people" can be held to mean "by the whole people" or "by the people of the entire State," its results might be serious and even dangerous; but this construction seems improbable.

While the Constitution says: "Every male citizen of the United States . . . shall be entitled to vote," the proposed Amendment inserts after "United States" the words "whether native born or naturalized." It is difficult to see any reason for thus amplifying verbiage; a citizen of the United States can be such only by birth or by naturalization.

The Poe Amendment adds in this passage the words: "Who, moreover, is duly registered as a qualified voter, as provided in this Article." This seems to be superfluous, since Section 5 of the same Article says:

"The General Assembly shall provide by law for a uniform Registration of the names of all voters in this State who possess the qualifications prescribed in this Article, which Registration shall be conclusive evidence to the Judges of Election of the right of every person thus registered to vote at any election thereafter held in this State; but no person shall vote at any election, Federal or State, hereafter to be held in this State, or at any municipal election in the City of Baltimore, unless his name appears in the list of registered voters."

3. MATERIAL MODIFICATIONS.

The foregoing changes in the language of the present Constitution (with the possible exception of the one first mentioned) appear, at first sight, to be immaterial, but the further additions to the Section proposed in the Poe Amendment, impose restrictions upon the suffrage,

flagrantly at variance with the fundamental principles of our government, and, as clearly and forcibly stated by Governor Warfield, "liable to cause grave abuses" in practical application.

Maryland was intended to be a democratic republic; our laws, our institutions, our traditions, our accepted standards of thought and conduct are based on the doctrine that distinctions in political rights, arising from conditions for which the individuals affected are not responsible, are invidious and presumptively unjust, and our fathers and we have always held this true in a special sense of privileges or disabilities founded upon birth or descent. This is repeatedly and unequivocally declared in our Bill of Rights. It says in Article 7:

"That the right of the people to participate in the Legislature is the best security of liberty and the foundation of all free Government; for this purpose elections ought to be free and frequent; and every male citizen having the qualifications prescribed by the Constitution, ought to have the right of suffrage."

Article 17 condemns retrospective laws and says:

"No *ex post facto* Law ought to be made: nor any retrospective oath or restriction be imposed or required."

Article 27 asserts:

"That no conviction shall work corruption of blood or forfeiture of estate."

Finally, Article 42 proclaims:

"That no title of nobility or hereditary honors ought to be granted in this State."

Of course, the people of Maryland can abrogate these or any other provisions of the Bill of Rights; an Amendment to the Constitution duly adopted, if incompatible with their spirit or even with their express words, would be the latest expression of the people's will; but is it the people's will to abandon principles so long recognized as vital to the welfare of our commonwealth? If this be not true, then all good citizens should see to it that the voters understand the full import of the question they must answer next November.

4. OBJECTIONS OF PRINCIPLE TO THE AMENDMENT.

The Poe Amendment restricts the suffrage to male citizens of the United States over 21 years of age and having the qualifications of residence hitherto prescribed belonging to some one of three classes:

namely, those entitled to vote, under the laws of this State, or of any other State of the United States, but not of a Territory or the District of Columbia, on or before January 1st, 1869, male lineal descendants of persons thus privileged at least 21 years old in 1906, and those able to read any Section of the Constitution of this State which the Officers of Registration may select, and "to give a reasonable explanation" of the Section in question, or, if unable to read, "to understand and give an explanation of" a Section when read aloud by the Officers of Registration. Obviously to the persons secondly above mentioned, it will grant, if not "hereditary honors," at least hereditary privileges. No less obviously it will impose a "retrospective restriction" upon those voters of the State who have enjoyed the suffrage since 1869, and will be deprived of it because neither they nor their ancestors had enjoyed it previously. It is equally plain that a father's mere exclusion from political rights, to whatever cause due, thirty-seven years ago, will be made by this Amendment to work, if not that "corruption of blood" in his children which conviction of crime may not cause, at least a forfeiture, not indeed of estate, but of the right to take part in our government. This right has been truly declared by our Court of Appeals "one of the most precious and valuable belonging to the citizen," a right which, in the words of Chief Judge Bartol, "in our State cannot be too highly prized or too carefully protected."* Finally this Amendment will limit "the right of the people to participate in the Legislature," proclaimed by our Bill of Rights "the best security of liberty and the foundation of free government," to those who were voters 36 years ago and their children, or, at least will endanger, hamper and obstruct its exercise by others through odious and oppressive restrictions, from which these privileged classes will be free.

5. THE NUMBER OF CITIZENS AFFECTED.

It will be well to consider how many of our fellow-citizens will be affected by the restrictions in question. With respect to white voters this cannot, indeed, be determined with accuracy; but a fair approximation to the true number will be reached by computing the number of registered voters who are either of foreign birth or of foreign parentage. It is true that the fathers of a few among the latter may have been legal voters in some State of the Union before 1869,* and a very few of the former may have been such voters themselves; but the number of either class must be altogether inconsiderable, certainly less than the number of native born voters, who, although of native parentage,

*Bevard vs. Hoffman, 18 Md., 479, p. 483.

*About one-tenth of the white persons of native birth but foreign parentage in the United States in 1900 had American fathers; how many of the latter were of age and, of those twenty-one or upwards, how many were voters in 1869 can be matters of conjecture only.

will yet be unable to show that either themselves or their ancestors were voters thirty-seven years ago.* It is also true that no statistics are accessible showing the precise number of legal voters in this State of foreign birth or foreign parentage at present; but there is no reason to think the proportions would greatly vary now with regard to voters from those shown by the census of 1900 as to the entire population. Of the inhabitants of Maryland 80 2/10% were then white; of these 57 2/10% were native born of native parents; 15 1/10% were native born of foreign parents; 7 9/10% were foreign born. The number of white voters in the State was shown by the registration of 1903 to be a little over 223,000; if the proportion of voters of foreign birth or parentage is the same as the proportion of inhabitants belonging to these classes (and it is probably slightly greater) then 64,000 out of these 223,000 are almost certainly excluded from the number privileged to vote because entitled to the franchise prior to 1869, or through descent from those thus entitled. Add to the 64,000 white men thus excluded 52,000 colored men in the like case, and we have 116,000 out of 275,000 legal voters of this State who will be subjected to an unfair and insulting discrimination.

In Baltimore City the adoption of this Amendment would involve a little less grievance for colored men than in the State at large, but a greater for white men. The white population of Baltimore was in 1900 84 3/10% of the whole; 46 4/10% were native born of native parents; 24 6/10% were native born of foreign parents; 13 3/10% were foreign born. The last two classes therefore number presumably over 46,000 of the 102,000 registered white voters in the City. If to these 46,000 we add 18,000 colored voters, we get 64,000 electors out of 120,000 held unworthy of the suffrage unless on conditions from which the remaining 56,000 are exempt by reason of hereditary privilege.

We find therefore that the Poe Amendment will confer in the State at large a special privilege involving political power because of birth or descent only upon barely four-sevenths of the present legal voters of the State, and exclude the remaining three-sevenths from the same measure of political rights because of birth or descent and for no other reason. In the City of Baltimore its operation will be yet more hostile to the spirit of democratic institutions: an actual minority of the present voters will be granted a political privilege while a majority of those now enjoying the suffrage will bear a badge of political inferiority, and in both cases for reasons wholly independent of personal merit.

*The Census of 1900 showed in Maryland 260,979 white males of voting age; the Registration of 1899 showed 226,554 white registered voters; 34,425 of the former, almost exactly one-eighth of the whole, were not therefore entitled to vote, and there is no reason to suppose that the proportion was less in 1869.

6. INJUSTICE OF THE RESTRICTIONS.

If the test of fitness described in the first paragraph which the Poe Amendment appends to Section 1 is fair and wise for any voter, no reason can be given why it is not fair and wise for all voters. One entitled to vote in 1869 may have been then and may be now wholly unable "to give a reasonable explanation" of the simplest Section of our Constitution; still more obviously may this be true of his son or grandson. If the Poe Amendment prescribes a salutary measure of electoral capacity for the negro and for the white man of foreign birth or descent, whom it likens to a negro, then the same measure of capacity should be impartially exacted of all candidates for the suffrage. To demand it of one class, while others go free, is at once undemocratic, un-republican and un-American.

7. THE AMENDMENT NO PROTECTION AGAINST IGNORANCE.

Governor Warfield, in the special message to the Senate from which we have already quoted, says of the Poe Amendment:

"The educational requirement therein is not conservative or definite, but is vague and uncertain."

It would be more accurate to say that the Poe Amendment contains no "educational requirement" at all. A man need not be able to read a Section of the Constitution or to read anything, he need not even know his alphabet, in order to vote; on the other hand, a man of profound learning might be readily disfranchised: education does not qualify, and ignorance, however gross, does not disqualify for the suffrage. The right to vote depends on whether the Officers of Registration think the citizen's explanation of some Section of the Constitution selected by themselves "reasonable;" in other words, on whether he understands or misunderstands the Section as they, or a majority of them, understand or misunderstand it.

Ability to explain a Section of our Constitution chosen at random is, in itself, an arbitrary and unreasonable test of a man's capacity to exercise the elective franchise. Certain sections would be understood by anybody; others could be readily explained only by a lawyer, and the meaning of some might be and has been the subject of serious doubt to the Bar and even to the Bench. To make one man's right to vote depend on his understanding something as simple as A B C, and another's depend on whether he can interpret off-hand language puzzling to the Court of Appeals is plainly absurd and unjust; but the absurdity becomes grotesque and the injustice outrageous when the duties of choosing the Section to be explained and of deciding whether the explanation given is "reasonable" are entrusted to the men who serve in Maryland as Officers of Registration. Nine-tenths of those

who have been such officers during the past forty years would be themselves disfranchised if required to explain most sections of the Constitution to the satisfaction of any competent authority. They are chosen, not for ability to construe legal language, but for partisan zeal and experience in the minor methods of politics. Their employment to conduct an examination in Constitutional Law would be simply ridiculous, were not its purpose so reprehensible and its consequences so disastrous to the public.

The Governor says further in his Special Message:

"An educational requirement or qualification adopted should be defined in precise terms in the amendment and thus be placed beyond the power of any election officer to do injustice by partisan or unfair action. The fundamental right of a citizen to exercise the privilege of suffrage should not depend upon the opinion of any set of election officials as to the reasonableness of interpretation of any clause of the Constitution."

This "fundamental right" has been declared by the Court of Appeals:

"Of acknowledged importance, indeed of almost inestimable value, the right to say who he desired should represent him in the legislature of the State, clothed with power to pass laws affecting his life, liberty and property."*

To let it depend on the judgment of such men as to such questions seems too plainly indefensible for serious discussion.

8. ARGUMENTS FOR THE AMENDMENT.

In a long and labored apology for the Poe Amendment published as an advertisement over the signature of Mr. Murray Vandiver, Chairman of the Democratic State Committee, two arguments are advanced which may merit notice. It is alleged that qualifications of voters under the restrictive clauses will be passed upon by Boards of Registry on which the two leading parties in the State are equally represented, so that partisan discrimination will be impossible; it is also claimed that, if Officers of Registration fail in their duty, an ample remedy is afforded through appeal to the Courts.

The Poe Amendment itself says nothing as to the choice or qualifications of Registration Officers or the right of appeal; these arguments therefore assume that our present Election Law will remain unchanged

*Friend vs. Hamill, 34 Md., 298, p. 304, per Miller J.

after the adoption of the Amendment: how far this assumption is reasonable will be hereafter considered. Supposing it, however, to be correct, we must remember that both Officers of Registration in the Counties and at least three of the four in Baltimore City must concur in allowing an applicant to be registered. In other words, outside the City, if the Democratic Officer of Registration does not think the explanation of a Section "reasonable," it makes no difference what his Republican colleagues may think or say, the citizen loses his vote. It is true, the Republican Officer may retaliate by refusing to find the explanation of the next Democratic applicant "reasonable;" but a second injustice to repay the first would aggravate, not correct, the evil.

An appeal to the Courts may exist in theory, but it will be practically useless. The citizen must give a "reasonable explanation" when the Section to be explained is "submitted" or "read" to him "by the Registration Officers. No matter how "reasonably" he may afterwards explain it in Court, his rights are irrevocably fixed by what happens in their office, and of what happens there no record is preserved. An appeal taken under such conditions would be an empty form: in truth, when we remember how many thousands of our present voters may be and probably will be refused registration under the restrictive clauses, it is plain that their number alone would render any attempt by the Courts to afford them redress within the time available altogether nugatory.

Moreover, Mr. Vandiver's assumption that our present Election Law will remain unchanged if the Poe Amendment shall be adopted is altogether disingenuous and wilfully misleading. The Amendment was one of a number of measures prepared and introduced by the so-called "Managers" of his party at the last session, some of which, owing to the hostility of public opinion, the attitude of the Governor and, we may add, the earnest protest of the Reform League, failed to become laws. One of these bills, which was abandoned only because the "Managers" believed they could neither secure for it the Governor's approval nor pass it over his veto, abolished equal representation of the two leading political parties among Officers of Registration and Election, and restored the "two to one" system existing before 1896. Such a law has been notoriously in contemplation since 1901 by the authors of the Poe Amendment, and no intelligent and well informed person doubts that, if they control the next General Assembly, another attempt will be made to enact it. At the same time any inconvenient provisions of our present statutes as to appeals can be readily pruned away. The "Managers" will then have power to disfranchise at will as many out of the 116,000 voters of unprivileged classes now registered in the State, 64,000 of these being registered in the City, as may be needed to give them permanent and unquestioned control of both the State and City Governments: no intelligent citizens can doubt that they will exercise or how they will exercise such power.

9. PROOF OF RIGHT UNDER "GRANDFATHER" CLAUSE.

In the foregoing discussion the rights of citizens of the United States, native born, and of native parentage have been treated as free from arbitrary control by Officers of Registration, but, except perhaps in the case of voters before 1869, this is by no means true. It will be no easy matter to prove by strictly competent evidence that a man's father or grandfather was entitled to vote under the laws of this State or of any other State 37 years at least before the application for registration by the descendant; it would be, so far as the Committee are informed, quite impossible to obtain record proof of this fact in Maryland, and there is no reason to believe that similar evidence could be secured with greater facility in other States. How partisan Boards of Registration will deal with such questions can be readily conjectured: any proof, however plainly insufficient or hearsay, will be accepted to justify the registration of those politically orthodox; but voters of the opposition will be required to prove their rights with the utmost technical strictness. We may safely anticipate that, in this respect, the course of such Boards will be no less partial, arbitrary and unscrupulous than in dealing with the classes of citizens whose rights are committed without disguise to their discretion.

10. EXPERIENCE IN MARYLAND WITH PARTISAN ELECTION OFFICERS.

For more than twenty years prior to 1896, elections in this State were attended by grave scandals arising from flagrant, notorious and often criminal misconduct on the part of Officers of Registration and Election. One of the League's first acts was to protest against the choice for public office of a man who, while serving as Judge of Election in 1875, had "stuffed" a ballot box with his own hands. Even after thirty years, many of our citizens remember with indignation the unpunished outrages of that election, and the iniquitous means afterwards employed to defeat enquiry. On the last mentioned subject, the late S. Teackle Wallis, first President of the League, wrote as follows in a letter widely published:

"After the State Election in the Fall of 1875, when the ballot boxes in the custody of the Clerk of the Superior Court were opened and the ballots examined, with a view to the contest in the House of Delegates, it was found that the ballots had been extensively and very foully tampered with. Large numbers of the Reform ballots had been removed from the boxes, and quantities of the regular Democratic tickets had been substituted for them. This had been done so audaciously, that the substituted tickets had not even been folded, so as to present the appearance of having passed into the boxes in the regular and lawful way. They were in large layers, flattened out precisely as they had

come from the printer's hands, and in many cases adhering to each other to the number of ten, twenty, thirty, and even more in each layer. That they could have got into the boxes except by lifting the top and inserting them in bulk was impossible."*

Seven years later the details of the crime and the names of the perpetrators became known through confessions on the part of several of the latter; these details are thus stated by Mr. Wallis in the same letter:

"All of the parties agreed in the statement that they had been permitted by Robinson, the then clerk, to enter the basement of the Record Office, at night, for the purpose of 'fixing' the ballots, and had taken out the Reform ballots and burned them in the stove, substituting the regular tickets for them. The process was, necessarily, a tedious one, so as, if possible, not to interfere with the tallies, and had occupied them Saturday night, all day Sunday, and I think Sunday night."

Nevertheless, one of the most notorious among the guilty parties was actually appointed to public office, in the face of exposure and with his record in this respect laid bare, through the influence of public men who are now the sponsors for the Poe Amendment.

Immediately before the organization of the Reform League in 1885, a Supervisor of Elections in this City openly announced his intention to appoint the weakest and most incompetent members of the opposing party whom he could find as Officers of Election, and, when his removal on this ground was asked by our foremost citizens, the acting Governor, under the political guidance of these same public men, promised to hear the charges *after* the election; a proceeding, in the words of the late John K. Cowen, about as useful as a writ of error for a man who had been hanged. In 1886 two of the Judges of Election, after their appointment but before they were called upon to serve, committed a brutal and cowardly murder; yet the President of the Board of Supervisors expressed doubt as to whether this fact should render their removal necessary. In the year following the League brought to light a large number of gross and criminal frauds perpetrated by Election Officers, and a number of them were convicted. After serving a part of their sentence, these were all pardoned by the Governor and others under indictment escaped conviction through a repeal of the law with no saving clause for pending cases. One of the men convicted was afterwards employed in the Post Office Building while Mr. Vandiver was its custodian, and others were selected as Democratic Election Officers but were removed on protest from the League.

*Letter to J. Hall Pleasants, President C. S. R. A. of Md., March 21st, 1885.

The foregoing are a few out of almost innumerable illustrations furnished by the records of the League or the files of our daily papers which show the utter disregard for conscience and honor, even for strict law and common decency often displayed in the selection and conduct of Officers of Registration and Election in Maryland prior to the great reform of 1896. By these abuses, scandals and crimes the same public men profited who now urge the adoption of the Poe Amendment; they persistently and systematically impeded all attempts to bring the law breakers to justice or to secure amendment of the law; and, since their party has regained power in the State, the League has again and again protested against their insidious schemes to impair or remove safeguards against fraud provided by the Election Law of 1896. Notwithstanding our confidence in the present Executive, it is clear that if the Poe Amendment shall become a part of our Constitution, Officers of Registration chosen, more or less directly but certainly, by these very men, will soon have power to disfranchise at will a large proportion, probably a majority, of our present legal voters. Is it reasonable to believe officers so chosen will do their duty better in future than men of the same class, selected by the same influences to serve the same purposes, who so shamefully abused their trust in the past?

II. THE EXAMPLE OF VIRGINIA.

In the Vandiver Apology, to which reference has been already made, the Poe Amendment is said to have been suggested by the recent Constitutional legislation of Virginia: how far this fact (if it be a fact) is an argument in the Amendment's favor need not be here discussed; certainly it is not a decisive argument. We may note, however, that, in two particulars at least, the conditions of the two States differ widely. The purpose of this Amendment is professedly what Governor Warfield described in his Inaugural Address as "the elimination of the ignorant, unreflecting voter;" of such, as is frequently repeated by Mr. Vandiver and those who share his aims, the greater number are doubtless found among colored citizens. Now what he calls "ignorant negro suffrage" is certainly a far more serious factor in Virginia than in Maryland. In the City of Baltimore, with a population given at 508,957, there were in 1900 15,008 colored persons of both sexes over ten years of age who could neither read nor write. In the City of Richmond with 85,050 inhabitants, there were 7,693, a proportion more than three times as great. Moreover, the number of white citizens affected by such restrictions on the suffrage is altogether inconsiderable in Virginia, while, as we have seen, in Maryland it is very large. The foreign born inhabitants of Virginia were, in 1900, just 1% of the population, the native born of foreign parentage were 1 8/10%; the two classes together were therefore less than 3%, while in Maryland they amounted to 23%, and in Baltimore City to very nearly 38% of the population.

12. THE CONSTITUTION OF 1864.

A much more surprising argument, one, indeed, which may be fairly called amazing when advanced by the Chairman of a Democratic State Committee, is Mr. Vandiver's reliance on the precedent set by the Constitution of 1864, which actually disfranchised a majority of the citizens of this State through discretionary powers conferred upon the Officers of Registration. This Constitution was not the act of the people of Maryland: it would have been rejected at the polls by an overwhelming majority but for the arbitrary action of the Constitutional Convention, in denying the right to vote on its adoption to those who would be disfranchised if it were adopted. Even under these conditions, it is very doubtful whether the Constitution received a majority of the legal votes really cast, and, at best, it obtained a pitifully scanty majority. Thousands of Union men throughout the State voted for its rejection in 1864 and for its overthrow in 1867, and its memory has been a source of weakness and discredit to the Republican party in Maryland down to the present day. It was vehemently denounced as unjust, revolutionary and oppressive by the party Mr. Vandiver represents, and its iniquities have furnished a theme to Democratic orators for more than forty years. That he should invoke its example to justify the Poe Amendment is eloquently suggestive as to the embarrassment of the latter's advocates.

13. CONCLUSION.

The Executive Committee reports to the League that the Poe Amendment is subversive of republican and democratic principles in our Government; is unjust and insulting to white citizens of foreign birth or parentage no less than to colored men; furnishes no safeguard against the evils of an ignorant suffrage; entrusts arbitrary, excessive and dangerous powers to Officers of Registration, powers which can be and, according to all human probability, will be grossly abused by such officers for partisan purposes, as similar, though less extensive, powers have been abused in the past; threatens the most precious rights of our citizens and endangers self-government in Maryland.

The Executive Committee advises that the League take all appropriate means to secure, if possible, its defeat at the polls.

Very respectfully submitted, on behalf of the Executive Committee,

CHARLES J. BONAPARTE,
Chairman.

THE CONSTITUTION OF 1851

A more surprising argument one indeed which may be called surprising when advanced by the Chairman of a Democratic Committee is Mr. Van Hook's reliance on the precedent by the Convention of 1851, which actually disfranchised a majority of the citizens of this State through the exercise of the powers conferred upon the Convention. This Convention was not the act of the people of Maryland: it would have been rejected at the polls by an overwhelming majority but for the arbitrary action of the Constitutional Convention in denying the right to vote on its adoption to those who would be disfranchised if it were adopted. Even under these conditions it is very doubtful whether the Convention received a majority of the legal votes really cast and at best it obtained a purely party majority. Thousands of Union men throughout the State who for its rejection in 1851 and for its overthrow in 1867, and its history has been a source of weakness and distrust to the Republican party in Maryland down to the present day, was shamefully denounced as traitors, traitors and oppressive by the party Mr. Van Hook represents and its principles have furnished a theme to Democratic orators for more than forty years. That he should invoke its example to justify the proposed Amendment is eloquently suggestive as to the embarrassment of the latter's advocates.

The Executive Committee reports to the Legislature that the proposed Amendment is subordinate to the Republican and Democratic principles of our Government; is unjust and unequal to white citizens of Maryland and particularly to those of colored race; furnishes no safeguard against the evils of an ignorant and uneducated electorate; and dangerous powers to Officers of Registration powers which can be and according to all human probability, will be abused by such officers for partisan purposes; as a result, though less than the powers have been abused in the past; that the most sacred right of our citizens and citizens self-government be destroyed.

The Executive Committee also states that the proposed Amendment grants to secure, if possible, its defeat at the polls.

Very respectfully submitted, on behalf of the Executive Committee

CHARLES J. BOZARTE

Chairman