

TOURGEE AND THE FRANCHISE.

CHICAGO, Ill., Feb. 14.—*To the Editor.*—In your edition Saturday, Feb. 7, Mr. Tourgee, in "Bystander's Notes," among others, propounds the following three queries:

1. Have I a right as a citizen of the United States to freely express my political views in every State of the Union?

I answer him he can do so only as permitted by State law.

2. Can I now do so and exercise my due share of authority as one of the constituent rulers of the Republic in any State in which I choose to reside, with safety and effect?

I answer him again, he can do so only as he has complied with the State law and has become a citizen of the State wherein he chooses to reside.

3. If not why not?

This has been anticipated by the answer to the former two.

I am dealing with the highest expression one can give to his political views, inasmuch as the greater includes the less, and proceed to the right of the elective franchise, the most sacred and highest right of the citizen, and by which alone he can give real and practical expression to his opinion and exercise his due share of authority. I came from another State, in which I had long been a citizen and exercised my privileges as such, to Illinois, and reached your city on the eve of the last Presidential election. I had always considered both my privilege and duty to vote, and should have liked very much to have expressed my opinion freely on election day in the choice of Presidential Electors, Representatives, etc., but, like the poor boy at the frolic, I stood with my hands in my pockets and looked on, unable to give expression to my views. Why? Because the sovereign State of Illinois fixed certain conditions of citizenship (as she and she only had a right to do) which I had to comply with before I could become a citizen of Illinois and exercise my right of franchise in saying who should represent Illinois in the Federal Congress. Mr. Tourgee seems to think that the lower house of Congress is composed of representatives of the United States. They are not. Each member of that house is a representative only from the State where he holds citizenship, and from the special district in the State, which sent him, in which district he resided. Mr. Tourgee's premises being incorrect, his whole argument is a fallacy. Mr. Tourgee in his article asserts that the fourteenth amendment to the Constitution, passed since the war ended, is the magna charta of American citizenship, because it enforces that "no State shall deprive any person of life, liberty, or property without due process of law etc., etc."

I am somewhat surprised at this from Mr. Tourgee, inasmuch as the fifth amendment to the Constitution, passed many years before the war, denied that power to the United States and covered the same protection to the citizen as against the Federal powers. Then the States were sovereign, did have the power, and only surrendered it by mutual agreement after the war. Mr. Tourgee should have a very tender sympathy for those who responded to the call of their State for defense from invasion. Respectfully,

F. R. SOUTHMAYD.