A Citizen of the United States

CHARLES S. ELGUTTER

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An Address

by

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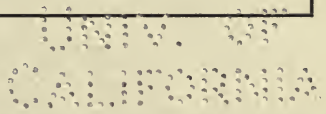

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A Citizen of the United States.

DURING the Civil War Edward Everett Hale, as an incentive to patriotism, wrote the story, "A Man Without a Country." The principal, Philip Nolan, a naval officer in the service of the United States, one day in a spirit of insubordination, damned the United States of America. For this offense he was tried and court-martialed. His punishment was fixed that henceforth he should be confined on board a naval vessel, and should be kept on the high seas, nevermore to touch foot on American soil, hear the name America or see any portion of the United States.

For many, many years, so the story goes, he passed his life a prisoner on board ship somewhere on the restless waters of the ocean. His country became a memory, its history a blank; no one was permitted to speak to him of his native soil, and in no manner did he learn from human lips the fateful crisis of the Civil War. At the end he dies broken-hearted and repentant, indeed, a man without a country.

It was not alone Philip Nolan in Edward Everett Hale's dramatic story who could exclaim in his anguish that he was a man without a country. For almost a century after the establishment of the Federal Government and the union of the States, every person of the United States could have echoed Nolan's cry, not in the bitterness of punishment, but in the realization of an unpleasant truth.

By one of those curious omissions in that almost faultless docu-

ment, the Federal Constitution, when adopted in 1789 nowhere defined citizenship or determined who was a citizen of the United States. It failed to enumerate the qualifications required for citizenship, yet the whole purport of that charter was concerned with establishing a government for citizens of the United States.

The omission was not accidental. It was significant. It reflected the condition and temper of the times, when the making of the nation was in embryo; and the forces of interdependence and centralization, the steamship, the railroad, the telegraph, and the daily newspaper were unknown; when Philadelphia was a fortnight's distance from Boston; and when commerce between states was insignificant and the little that took place was impossible, except by sea, carried in vessels of light tonnage.

It was a matter of personal pride to be a citizen of a great state like Virginia, Massachusetts, New York or South Carolina. To be addressed as a citizen of the United States conveyed no meaning, and was something to be resented as chimerical and unreal. We must translate ourselves to that period to understand why, of all statesmen, James Wilson, Alexander Hamilton and John Marshall alone conceived one land, one people, one law.

No straight line marks the historical development of the citizen of the United States. He grew into political significance with the commercial and industrial interdependence of the people, and a realization that such people constituted a nation. His evolution from the modest conception in the early days to his importance at this time was gradual, for the idea of citizenship of the United States as distinct from citizenship of the state, as the question came before the country from time to time, was of slow growth and confusing in application. To be candid, the full meaning of what is implied in citizenship of the United States is not understood even in our own day and generation.

Some time after the beginning of the young republic, the course of events forced a conviction that the citizen of the United States spoken of in the constitution was something more than a mere legal fiction. His existence apart from citizenship of a state, however, was denied. If his existence was admitted, it was said that he was a citizen of the United States by courtesy, clothed with such political significance only through and by reason of his being a citizen of one of the states composing the nation.

Congress at no time attempted to define his place by formal legislation. It was left to the slow process of the courts to work out and define national citizenship piecemeal in desultory, private

decisions, affecting his status, his rights and his duties. When the courts were called upon to pass on the legal and political rights of a person born in the District of Columbia or residing in one of the early territories like Michigan and Minnesota, greater embarrassment arose. Such person was in a more precarious position because, not being a citizen of a state, his relation to the nation was in greater doubt. As a result, the status of the people of the territories with respect to national citizenship has not been judicially determined as a finality even to this day. It is still open to controversy, as we all know, when the civil rights of the native inhabitants of our recent colonial possessions in Porto Rico, the Pacific and elsewhere are under discussion.

From the time of the adoption of the Constitution in 1789 to the passage of the Fourteenth Amendment in 1868, and since that period, extending for more than a century, citizenship of the United States in various relations was a subject of vital discussion in Congress, was a source of disagreement by the courts, a cause of embarrassment to the executive department, and brought about momentous upheavals among the people in their political status.

Citizenship of the United States assumed a significance never before realized with the acquisition of Louisiana and the accession of Texas and California and the increasing power of Federal government by reason of territorial enlargement. Its significance soon became serious, and its consideration grew virulent as the status of the negro, when emancipated and finally freed as a race, pressed for solution.

Speaking to Congress as late as 1833, John C. Calhoun, then a senator from South Carolina, defined citizenship in the accepted sense:

"If by a citizen of the United States is meant a citizen at large, whose citizenship extends to the entire geographical limits of the country without having a local citizenship in some state or territory, a sort of citizenship of the world, such citizenship must be a perfect nondescript."

The supreme test came with the famous Dred Scott decision, when the Calhoun definition of 1833 was elaborated, and was given the force of law by the Supreme Court.

John C. Calhoun of South Carolina, guiding spirit of his party in the Senate and moulder of public opinion, voiced the popular conception regarding citizenship of the United States; but it was not until twenty-five years later, when in 1858 the Supreme Court set its seal of approval on this dicta by construing the Constitution and

declaring as law that a person was a citizen of the United States only through his citizenship of one of the states. The generally accepted theory of citizenship, received judicial affirmation in the Dred Scott decision.

By a strange perversity, the question of citizenship arose in a case to determine whether a black man had a right as a matter of law, to bring suit in the United States courts, a privilege accorded to citizens of the United States. This action, one of the most important ever determined in its effect upon the history of our country, had a most humble and remarkable origin. The parties in interest never for a moment suspected the political volcano which slumbered in its apparently innocent procedure. The suit at first attracted no particular attention, as it apparently was a controversy between private parties in which the public had no real concern. But by the time the case reached the Supreme Court the real issues involved, citizenship of the United States, status of the negro, free soil and slave territory, the Missouri Compromise, loomed up with direful forebodings behind the action of this humble black man. And there was arrayed on one side the partisans of free soil and on the other the champions of slavery throughout the country during its final consideration by the highest court of the land called upon to construe the rights of the negro, if any he had under the Constitution.

It may not be out of place to outline the facts involved in the case. Dred Scott was a negro slave born in Missouri. His master, an army officer, in 1834 took him to Illinois, a state where slavery was prohibited by statute. In 1836 his master took him to Minnesota, at that time a territory in which slavery was prohibited by Congress in 1820, in the act known as the Missouri Compromise. From Minnesota his master was transferred in 1838 to Jefferson Barracks, near St. Louis, and took Dred Scott and his family back to Missouri. Here Scott was sold by his master as a slave to John Sandford of New York.

Scott passed into the hands of his new master, and was whipped for a trifling offense, an occurrence not unusual in those days. Some sharp-witted lawyer, the ambulance-chaser of his day, who scented a fee, probably induced Scott to bring suit for damages against Sandford on the ground that by his residence in Illinois and Minnesota, free soil where slavery was prohibited, he was a free man; and that his being held as a slave and the whipping constituted an assault, for which Scott demanded damages against Sandford in the sum of $5,000. Suit was filed in the circuit court of the United States for the district of Missouri, alleging diverse citizenship, that practice

being permitted by the Constitution for a citizen of one state to sue a citizen of another state, provided of course Dred Scott was a citizen of the state of Missouri, and the defendant Sandford was a citizen of the state of New York, as set forth in the negro's declaration. Sandford's plea to the jurisdiction of the court denied that Scott was a citizen of Missouri, or of any other state, and alleged that Scott was a slave descended from negro ancestors, and was the property of Sandford, and for that reason he had no standing in the court of the United States, and his petition should be dismissed for lack of jurisdiction. Scott demurred to the plea, and on hearing the circuit court found for the plaintiff, and sustained the demurrer, whereupon Sandford filed answer denying the charges alleged. After a trial upon the issue of fact before a jury, the verdict found the defendant Sandford not guilty. A writ of error was issued to the Supreme Court December, 1854.

The case was squarely before the Supreme Court of the United States, turning upon the question whether Dred Scott, a negro, had any claim to citizenship by reason of his having lived on free soil. Three years later, after twice argued, the court speaking through Chief Justice Taney decided against Scott, dismissing his petition for the reason he was not a citizen of the United States; and as a negro could not acquire citizenship, the circuit court of the United States had no jurisdiction to hear and determine the case.

The court in construing who were citizens of the United States interpreted the words "People of the United States" and "Citizens of the United States," as used in the Constitution, to be synonymous terms, and that wherever the words "states" or "United States" occurred, they are to be strictly construed to mean the original thirteen states and such other states as were admitted to the Union from time to time.

"The people of the respective states were the parties to the Constitution," said Justice Taney. "These people consist of the free inhabitants of those states. They had provided in their Constitution for the adoption of a uniform rule of naturalization, and that their descendants and persons naturalized were the only persons who could be citizens of the United States. Citizenship of the United States came through the citizenship of the several states, but there was one restriction. While each state confers its own citizenship on any class or description of persons it thinks proper, such as a free person descended from Africans held in slavery, yet such a person would not be a citizen of the United States for the reason that the state could not introduce any person or description

of persons who were not intended to be embraced in the new political family, which the Constitution brought into existence, but were intended to be excluded from it. Consequently a man of African descent, as the negro Dred Scott, whether slave or free was not and could not be a citizen of the United States."

Thirty years later the same court, in 1888, considering the application to American citizenship of the Chinese or persons other than of the white race, speaking through Justice Field, followed Justice Taney to the effect, that Chinamen cannot be citizens of the United States because such persons were not intended by the people adopting the Constitution to be embraced in the political family known as the citizens of the United States.

Justice Curtis of Massachustets, sitting in the Dred Scott case, dissented from the opinion of Taney and was the first jurist on the Supreme Bench to declare the right of a free negro to citizenship. Nevertheless, he agreed with the majority of the court, that under the Constitution citizenship of the United States with reference to natives was dependent upon citizenship in the several states under their respective constitutions and laws; but where any free person, descended from Africans held in slavery, was a citizen of a state under the Confederation, he became by that fact a citizen of the United States on the adoption of the Constitution.

"I can find," says the eminent jurist, in his dissenting opinion, "nothing in the Constitution which by its own force deprives of their citizenship any class of persons who were citizens of one of the states at the time of the adoption of the Constitution; nor any power enabling Congress to disfranchise persons born on the soil of any state by its constitution and laws. And my opinion is that under the Constitution of the United States every free person, even an emancipated negro born on the soil of a state, who is a citizen of that state by force of its constitution, is also a citizen of the United States."

The divergent views of the two schools of constitutional construction regarding the status of a free negro, one denying, the other recognizing his rights to citizenship of the United States have passed into memorable history. Whichever view may have been right in legal interpretation, the adoption of the Fourteenth Amendment by the people ten years after the decision, set aside the Dred Scott decision of the Supreme Court as a rule of law respecting the negro, and changed the whole subject of citizenship, by removing from doubt and discussion the bitter and long-standing dispute.

The Fourteenth Amendment recognizes in express terms, if it

does not in fact create, citizens of the United States. It makes citizenship depend upon the place of one's birth, or the fact of one's adoption under the law of naturalization, and not upon the constitution or laws of any state or the condition of one's ancestry.

Henceforth the American enjoyed a recognized double citizenship. He is at once a citizen of the United States by birth, and he is a citizen of a state as a matter of choice. Birth as a test of citizenship is a rule common to many countries. From earliest times in English jurisprudence, it was laid down as a broad principle that the place of birth fixed the place of citizenship. A child born within any territory subject to the King of England, is a natural born subject to the king, and is no alien in England. This was the rule of the American colonies prior to 1776, so that the Fourteenth Amendment in this respect reaffirmed the common law.

The distinction between citizenship of the United States and citizenship of a state is clearly recognized and established. Not only a man may be a citizen of the United States without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it. But it is only necessary that he should be born or naturalized in the United States to be a citizen of the Republic.

Prior to the Fourteenth Amendment, a citizen of the United States must first be qualified as a citizen of some state. After the Fourteenth Amendment, a citizen of a state is merely a citizen of the United States residing in that state.

Under the Constitution, certain rights, privileges and immunities belong to an American as a free man and a free citizen. After 1868 these rights belong to him as a citizen of the United States, and are not dependent upon his citizenship of any state.

The Fourteenth Amendment does not confer any new privileges or immunities upon the citizen, or attempt to define or to enumerate those already existing. The Fourteenth Amendment assumes that there are such privileges and immunities, which belong of right to a person as a citizen of the United States, and ordains that they shall not be abridged by state legislation.

The Fourteenth Amendment in part reads as follows:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

This addition to the Bill of Rights is of great historical import-

ance. Its immediate purpose following the Civil War of 1861, and the abolition of slavery in 1863, was to throw about the unfortunate negro race further civil and political protection, which the Thirteenth Amendment abolishing slavery failed to secure. In a spirit of magnanimity the Fourteenth Amendment was enacted for the negro's express benefit. Henceforth the negro and his descendants were created citizens of the United States and of the particular states wherein they reside, and the intention was that they were to be given all the benefits and all the immunities which by right of free men white citizens of the United States enjoy. But the results of the Fourteenth Amendment are broader. In effect the Fourteenth Amendment withdrew from the states powers theretofore enjoyed by them to an extent not yet fully ascertained, and it is the province of the Supreme Court to differentiate these powers so necessary to the perpetuity of our dual form of government.

It was the boast of the Roman, to be a citizen of Rome was to be greater than a king. Cicero has preserved in the orations against Verres, that tyrant who crucified a Roman citizen in defiance of Roman law, a striking illustration of the sacredness of the person of a Roman citizen. If such was the Roman conception, what shall be said of the power and dignity that hedge about a citizen of the great American Republic?

The privileges and immunities, which the American citizen enjoys, are not easily defined. They are those which are fundamental, which belong to citizens of a free government, and which are comprehended in the words of the Declaration of Independence, life, liberty and the pursuit of happiness; and are included in the preamble of the Constitution, "to establish justice, insure domestic tranquility, promote the general welfare and secure the blessings of liberty to ourselves and our posterity." The privileges and immunities of a citizen of the United States are as broad and as strong as the arm of the nation is able and willing to enforce his rights. They arise out of the nature and essential character of the national government or are specifically granted or secured to all citizens or persons by the Constitution of the United States or its laws and treaties made in pursuance thereof, as distinguished from those belonging to the citizens of a state.

To the national citizen are guaranteed the right to pass freely from state to state, the right of *habeas corpus*, trial by jury, access to the Federal courts, the free exercise of religion, free speech, a free press, the right to peaceably assemble and to petition the Congress for a redress of grievances, to receive protection in the right

to vote for national officers, and the right of not being deprived of life, liberty, or property without due process of law. The citizen cannot be arbitrarily despoiled of his property; equally with others he shall enjoy personal and civil rights. What the Constitution expresses in general terms, the laws of Congress and judicial interpretation have amplified to meet new conditions.

To citizens of the United States is given the right to the public domain, and the right of homestead upon the public lands, the benefits of copyright, and the right to be protected against violence while in the lawful custody of the United States marshal.

A privilege of a citizen of the United States is to demand and receive the care and protection of the Federal Government over his life, liberty and property when on the high seas, or within the jurisdiction of a foreign power. Armed with his patent of nobility, his American passport, he may safely go to any country in the world with which the United States has entered into a treaty of friendship, secure in the protection of his person and his property.

Another privilege is that a citizen of the United States shall have the same property right in every state and territory as is enjoyed by the citizens of each state and territory. He shall have the liberty and the right to follow any of the ordinary callings of life. Another privilege is that no discrimination shall be made by one state against the citizens of another state or against the citizens of the United States. Under the Fourth Article of the Constitution, equality is expressly secured between citizens of different states; under the Fourteenth Amendment the same equality is secured between citizens of the United States.

This equality of right in lawful pursuits throughout the whole country is the distinguishing privilege of citizens of the United States. Each state may freely prescribe such regulations as will promote the public health, secure the good order and advance the general prosperity of society. When once prescribed the pursuit must be free to be followed by every citizen of the United States who will conform to the regulations.

American history is full of examples of the protection extended for violation of the citizen's rights abroad and vindication of the Nation's honor. The war with Tripoli and the punishment of the Barbary pirates in the infant days of the Republic showed the Nation's temper in behalf of American citizens on the high sea. The second war with England was a protest against seizure and impressment of American seamen, whether native or naturalized.

The Pericardis affair in Morocco and the Ellen M. Stone outrage

in Bulgaria, have not yet passed out of mind of the goverment's efforts in behalf of kidnapped citizens. The execution of Groce and Cannon by Zelaya and the protest of the State Department, enforced by the navy against the arbitrary action of the President of Nicaragua, is the latest expression of the national government in behalf of citizens of the United States. The American missionary in Turkey and in China is protected under the stars and stripes. The periodic interference in Venezuela, in Santo Domingo and Central America are the perennial attempts of the United States to protect the persons and property and business interests of American citizens in the turbulent republics. While the persistent refusal of Russia to permit American citizens of Jewish religion to enter or reside in Russia equally with American citizens in general has at times reached acute conditions in diplomatic correspondence and given rise to protests in the platforms of national parties.

Likewise in domestic affairs, the Interstate Commerce Commission and the legislation in Congress to extend its powers in railroad regulation may be an exercise of governmental supervision over railroads under the commerce clause of the Constitution. But its effect is the relief of the citizen of the United States engaged in traffic between states against unjust discrimination. So, too, the investigation into the beef trust, Standard Oil and other alleged monopolies is merely another phase of government inquiry through its law-making functions and its executive departments to insure to the citizen his privileges and immunities throughout the country of the United States.

We are accustomed in our internal affairs to rely on the Federal courts for the redress of such abuses against citizens of the United States, and the records of the courts are voluminous with decisions restraining individuals and even states from unconstitutional acts against the citizen. Interference by the Executive and by Congress rarely exercised, is however, often viewed with alarm as radical and an encroachment upon the states. But the judiciary is only one branch of government machinery. When necessary the entire force of national power must be exercised at home as well as abroad in behalf of citizens of the United States deprived unjustly of fundemental rights. There has always existed a delicacy and reluctance on the part of the Federal Government to interfere with the internal affairs of a state in the protection of the violated rights of a citizen of the United States. This is especially true of Congress and of the President. Only on rare occasions has the Executive power been directly exercised. The jealousy of a state against what is termed

Federal interference and encroachment is easily aroused and resented. South Carolina in 1833 resisted President Jackson's attempt to collect duties on imports. Governor Altgeld, of Illinois, during the railroad strikes of 1894, bitterly opposed President Cleveland's proclamation directing Federal troops to protect from obstruction United States mails in the city of Chicago. Such Executive interference in a state has been justified on the ground of protecting property of the United States. If the dignity of the United States is assaulted by the unlawful interference with its property or with its mails or with its administration, is not its dignity equally insulted when one of its citizens cannot obtain the protection of the state to which he is lawfully entitled and wherein he resides? Is there any reason why the national power should not be more often invoked at least through the criminal or the equity side of the Federal courts, to protect a citizen of the United States, tho' he be a citizen of a state, from mob violence in that state, and to punish those engaged in lynching negroes as in South Carolina; or in forceful deporting of riotous miners out of the state, as in Colorado; or in burning their victim at the stake, as in Mississippi; or in the excesses of the night riders, as in Kentucky, whenever the officers of that state charged with executive or judicial power fail in their duty, or the sentiment of the community of that state tolerates such outrages? Yet the Federal courts have with reluctance interposed in the protection of the life of a citizen of the United States jeopardized in the state to which he likewise owes allegiance, where fundamental rights are invaded.

Elihu Root in public address called attention to the failure of states in the protection of their own citizens in life and property, and the warning that the supineness of the state was an invitation to the nation to exercise its protecting prerogative over its citizens, though claimed an encroachment on the rights of the state over its own.

To the American born to the purple, the great advantages which he holds by right as a citizen of the United States, scarcely give him a moment's thought. Like Napoleon's royal son, these honors and these dignities have been prepared for him. He has known no other conditions. His citizenship sits lightly on his shoulders. He feels no appreciable burdens, he pays no direct tax for the support of the national government. The only time he feels the big stick of his country and has cause to grumble is when he returns from Europe with a trunk full of dutiable goods, and is subject to custom-house inspection and tariff charges. His undefined security and power as

a citizen of the Republic he enjoys through his relations to the nation. It is not given him by reason of his citizenship in a state, for he changes his state as often as he does his coat, yet he knows his privileges and immunities follow him up and down the broad domain of his country.

There is one exception to his prerogatives. With all his powers, the citizen of the United States has no right to vote. The United States has no vote in the states of its own creation. The elective officers of the United States are all elected directly or indirectly by state votes. Members of Congress are chosen by the votes of citizens of the states. Senators are elected by the legislatures of the states. Presidential electors are elected by the qualified voters of each state or are selected in such manner as the legislature directs. The citizen of the United States who desires to vote cannot do so in any state unless he qualifies as a citizen under the laws of that state. Each state determines for itself what qualifications are required, with the prohibition, however, under the Fifteenth Amendment, that the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude. In Nebraska, for example, the right to vote is limited to male persons of the age of twenty-one or upwards, who shall have resided in the state six months and who are either citizens of the United States or persons of foreign birth who shall have declared their intention to become citizens of the United States in conformity to the Federal naturalization laws. In Colorado male as well as female persons of required age and qualifications may vote. But the right of women to vote in Colorado or in Wyoming or in Utah as citizens of those states do not qualify them to vote in Nebraska or in any other state where the suffrage is withheld from females. The Federal Constitution does not confer the right to vote on any one and suffrage is not a part of citizenship of the United States. Minors and women if otherwise competent are citizens of the United States. Likewise lunatics, paupers and convicts are citizens of the United States, but their citizenship if denied by the states does not embrace the right to vote.

With this reservation to his sovereignty, if the citizen of the United States appears careless of his birthright, the advantages which he enjoys over other men in the world are eagerly sought after by those who stand outside the pale and seek adoption into his family. With respect to aliens, that is, persons foreign born, citizenship of the United States is a white man's prerogative. The Civil War made citizenship the black man's privilege. Neither the

yellow man nor the brown man, neither Chinese nor Japanese, neither Malay, Hawaiian nor Filippino is welcome under the laws of naturalization, and the red man who is a domestic alien is denied citizenship so long as he is held in tribal relations as ward of the nation. The provisions of the naturalization laws apply to aliens who are free-white persons and to the negro of African nativity and of African descent. To all other men the doors of citizenship through naturalization are shut; but a person of the excluded races, as Chinese or Japanese, if born in one of the states, as determined by the Supreme Court of the United States within the past twenty years, although of alien parentage, is by virtue of the Fourteenth Amendment a citizen of the United States.

Apart from the provisions by which an individual acceptable to the United States may be naturalized, whole communities during the past one hundred years have been admitted to citizenship by treaty or by joint resolution of Congress. The relations which the inhabitants of ceded territory shall bear to the United States are determined by the treaty of cession. Such treaty is the law of the land. Under the Louisiana Purchase by the Treaty of Paris in 1803, it was provided that, "the inhabitants of the ceded territory of Louisiana should be incorporated into the union of the United States, and admitted as soon as possible according to the principles of the Federal Constitution to the enjoyment of all the rights and advantages and immunities of citizens of the United States." By virtue of this treaty, the white inhabitants of the territory of Louisiana and their descendants became citizens of the United States on an equal footing with the citizens of the original states. In like manner the white inhabitants of Florida, New Mexico and California, and Alaska, were each in turn admitted to citizenship of the United States under treaty. The Republic of Texas was admitted to the Union as a state by joint resolution of Congress.

A radical departure was made, however, in 1898 when Hawaii, Porto Rico and the Philippines were annexed with the proviso, "that the civil and political status of the native inhabitants of the territories ceded to the United States shall be determined by Congress." In other words, the native inhabitants of these possessions are not citizens. Whether the natives of these islands at any time shall be admitted to the full privileges and immunities of citizens of the United States rests with Congress. It is Congress which shall determine to whom and to what extent rights of citizenship shall be extended to the native inhabitants of our insular possessions. At each session the tendency is to grant greater rights and privi-

leges to the native people of these possessions, as they qualify themselves for a citizen's duties.

A century and a quarter of national growth has developed in the status of citizenship, curious and anomalous conditions not dreamt of by the fathers. At first citizenship of the United States was dependent and subordinate to citizenship of one of the states. After the Fourteenth Amendment citizenship was acquired by birth in a state or by naturalization. Through changes brought about mainly by judicial interpretation a system of caste has grown up. All men are not equal in the Republic. Only the native born in the states enjoy full power embraced in the title, citizenship of the United States. The naturalized citizen barred by constitutional prohibition from the President's chair may not be conscious of that disability. But the people of the territories may have reason to complain when their status may be one thing in the District of Columbia, a different thing in New Mexico, and something else in Alaska. In the insular dependencies the native Porto Rican, the Hawaiian and the Filippino are wholly at the pleasure of Congress and differ in political and civil rights not only from the people of the territories, but one with another and class with class. In this year of grace, the descendant of the emanicpated black man may truly look down with scorn upon his political inferior, the yellow man, the red man and the brown man. The Chinese youth born in San Francisco may as a patriotic American deport his alien father, while the Indian as a dependent ward of the nation must accept, no matter how unwillingly, guardianship of a grudging white man.