

APRIL 1, 1891.

To the Members of the World's Columbian Commission:

GENTLEMEN: As a member and officer of the Board of Lady Managers, I respectfully submit for your consideration my protest against the recent action of the Board of Reference and Control, in respect to the autonomy of said Board, and I beg to call your attention to the fact, that while section 6 of the Act of Congress, which incorporated the World's Columbian Commission, authorizes and requires the Commission to appoint a Board of Lady Managers, and in obedience to said mandatory act you did so appoint said Board, habilitating it in By-Law No. 11, and limiting its direction to the Executive Committee of your Commission, yet you also, through this Executive Committee, subsequently conferred upon said Board the right of self-government, with legal power to organize and to direct its own future action. Rights thus granted and recognized can not be withdrawn, as courts of law have again and again decided, and no series of ex-post-facto resolutions can restore the power and the authority thus abrogated. It can not be again resumed save by an act of Congress.

On the 21st of last October your Executive Committee, through a series of resolutions, reinforced by an authoritative order from the Secretary of the Treasury, directed the President of your Commission to convene said Board of Lady Managers, that it might organize as required by your By-Law No. 11, through and "by the election of a Chairman and Secretary."

On the 19th of November, 1890, this Board was duly convened by President Thomas W. Palmer, in Kinsley's Hall, in the City of Chicago, and after the election of permanent chairman and secretary, it appointed a committee of conference to receive from you, still further directions or orders. A sub-committee of the Executive Committee was appointed by your body to confer with this committee, which jointly submitted the following

report, authorizing the constitution of organic law through a Committee on Permanent Organization, with a complete official roster to direct its own future work, and you repudiated the directive authority of your organization by affirming that the members of the Board of Lady Managers were in no sense members of the Commission, and thus placing the Secretary of the Treasury in the anomalous position of authorizing the expenditure of \$15,000 from the Treasury of the United States for a meeting which your By-Law averred was for officers of the Commission.

Report submitted on Saturday, November 22, 1890, through its Vice-Chairman, Mrs. Logan:

To the Board of Lady Managers:

Your Committee have the honor to report that, in compliance with your instructions, they notified the Executive Committee of the World's Columbian Commission of your desire to receive from them such instructions and communications as they might desire to convey to the Board of Lady Managers.

In reply, a sub-committee of the Executive Committee was appointed to meet your Committee at 4 o'clock yesterday, at which meeting the whole question of the creation of the Board of Lady Managers was gone over, the sub-committee deciding that the Board of Lady Managers was created under the law of Congress, and not by the courtesy of the Commission, as has been supposed by some. But in the absence of more explicit legislation, the Commission do not feel that they can do more toward delegating to the Board of Lady Managers any authority than to organize under Article 11 of the "By-Laws of the World's Columbian Commission." They request, however, that the Lady Managers shall formulate their wishes in regard to the work of the Board of Lady Managers, the same to be put in writing and laid by your Committee before the sub-committee of the Executive Committee at 9 o'clock Monday morning, they promising to reply at the earliest possible moment, that this Board may adjourn after fully organizing. They think that it is eminently proper that the ladies proceed to the election of the Vice-Presidents and the adoption of such reports as that of the Executive Committee of ten providing for organization and mode of procedure by this Board. The appointment or election of the committees should be postponed for the present. But they wish the Lady Managers to recommend to them the amount that they think should be paid your Chairman and Secretary, but explicitly state you must not base your recommendations upon

the precedent of exorbitant salaries heretofore awarded the officers of the Commission, because that part of their work will be doubtless subject to revision, but to fix the sum upon the well-known economy of earnest women. They especially wish to disabuse the minds of the Lady Managers, if any of them supposed they were in any sense members of the Commission or that there was now or prospectively any position of emolument to which any of them could be appointed who receive more than their \$6 per diem when on duty under orders of the Committee.

(Signed)

MRS. JOHN A. LOGAN,
MRS. VIRGINIA C. MEREDITH,
MRS. JOHN S. BRIGGS,
MISS MARY E. BUSSELLE.

After a session of seven days, wherein Rules of Procedure, By-Laws, and other machinery of organized government were adopted, and plans of work suggested, Governor Furnas, Chairman of the Sub-Executive Committee of the Executive Committee, personally submitted to the Board, on the morning of November 26th, your report, found on page 288 of the Official Manual; and in response to inquiries of the members of said Board of Lady Managers, if this were mandatory, as it would overthrow all the legal action of the session of said Board, he affirmed that it was not mandatory, but suggestive; that the Board had liberty and powers to do as it pleased outside of matters of finance. And, as a final derogation of power, during the afternoon of the same day, at the closing hours of the session, President Palmer, accompanied by members of the Executive Committee, personally presented the following resolution to the Board of Lady Managers (the second clause of which, designated by President Palmer as the "milk in the cocoanut," is strangely overlooked by the Board of Control in its resolutions), and emphasized it by speeches of an emphatic character from President Palmer, Messrs. McDonald, Harris, Ewing, King, Hirst, and Martindale; the appointee of the last-named gentleman on the Board of Lady Managers so clearly recognized the scope which this instrument imposed that she wrote to the Secretary of said Board: "I hope you will take good care of the document which the gentlemen brought in from the Executive Committee just as we were ready to adjourn; it was a valuable paper, as it con-

ferred on the Board power to originate work, and more we could not ask."

At a meeting of the Executive Committee of the World's Columbian Commission, held in the Council Chamber, City Hall, Wednesday afternoon, November 26th, 1890, the following resolution was unanimously adopted.

Resolved, That the work of the Board of Lady Managers is, by the By-Laws of the Commission, placed under the direction and control of the Executive Committee;

That the methods and agencies adopted by them in carrying forward the duties imposed upon them by the Act of Congress shall be devised and executed by said Board without any direction or control of this Committee, but subject to the approval of this Committee.

That we will recommend the construction of a suitable building or pavilion on the Exposition grounds, to be placed under the control of the Board of Lady Managers for official and other purposes.

That we respectfully request the Board of Lady Managers to work in conjunction with this Committee and the National Commission in efforts to interest the people of the respective States and Territories and the District of Columbia, in the success of the World's Columbian Exposition.

That we deem it inexpedient at this time to formulate any further instructions to the Board of Lady Managers more explicitly defining their duties, but will appoint a Sub-Committee of this Committee to confer with a Committee of their Board, at an early date, for the purpose of more fully prescribing their duties.

That we will join with the Board of Lady Managers in a recommendation to Congress to make an additional appropriation to pay the expenses of said Board, if they so desire.

That we congratulate the Board of Lady Managers of this Commission upon their complete organization, and their great success in the selection of their eminent officials, and we wish them God-speed in their noble work.

I further call your attention to the fact that the late Secretary of the Treasury instructed the Secretary of the Board of Lady Managers to sign all bills for the expenditure of money in said Board, to be approved (as By-Law No. 8 requires) by the Secretary of the Treasury, and the further enunciation in the Act of Congress, approved March 4th, 1891, of the independent powers of said Board of Lady Managers, in the appropriation of \$36,000, not, as is averred by the Board of Control, "to be used *for* the

Board," but "for the *use of* said Board," establishes, beyond cavil, the right of original jurisdiction.

I, therefore, in conclusion, most respectfully call your attention to the fourth and fifth clauses of the resolution of the Board of Control, as wholly illegal, in that it assumes powers which it does not possess, and, while confessing no authority to change the By-Laws of its own creator, the National Commission, it assumes the right to overthrow the legitimate By-Laws of the Board of Lady Managers, and invests the President (whose office and duties are not defined by the Commission, but created and empowered under the By-Laws of said Board, whose servants the President and all other officers are), with autocratic power, and gives the Executive Committee of said Board "the right and privilege of amending the By-Laws" of the power which created it, thus inviting women to violate their own lawful action, and to repudiate time-honored and respected law, which has again and again been emphasized by judicial ruling and established following, and of which so high an authority as Judge Cooley says: "The Constitution of an organization is higher in authority than any law, direction, or decree made by any body or any officer assuming to act under it, since such body or officer must exercise delegated authority, and one that must necessarily be subservient to the instrument by which the delegation is made. In any case of conflict the fundamental law must govern, and the act in conflict with it must be treated as of no legal validity."

I therefore most respectfully ask that, as an organization acting under the protection and authority of the National Ægis, for the review of the advance of progress through and by self-government in the Republic, you will not emphasize the despotism of monarchies in your legislation, but will refuse your sanction to the report of the Board of Control, in so far as it destroys the vital organization of the Board of Lady Managers, and that you will, in harmonious action, completely unify the work so auspiciously begun in November, 1890.

I am, gentlemen, with high respect,

Yours truly,

PHOEBE W. COUZINS,

Member Board of Lady Managers, representing the State of Missouri.

Fourth. That, in conducting the work herein assigned to said Board of Lady Managers, the same shall in all things be done under the direction and supervision and with the approval of the President of said Board, who shall have full and complete control, subject to the direction of the Executive Committee of said Board and to the approval of the Commission and its Director-General; and that all correspondence, clerical and working force, and expenditures of money shall be directed, ordered and approved by the President of said Board, who shall have all accounts duly audited, and certify the same to the Board of Reference and Control for approval.

Fifth. That, owing to the evident intention of Congress to allow few meetings of the full Board of Lady Managers, the Executive Committee thereof, or a sub-committee of said Executive Committee, is hereby authorized and empowered, in the absence of the Board, to exercise any and all powers which said Board might exercise in session, *including the right and privilege of amending its By-laws*, should said Executive Committee or sub-committee at any time deem it necessary or advisable.

Mr. Bullene, of Missouri, presented a communication from Miss Phœbe W. Couzins, member of the Board of Lady Managers from Missouri, protesting against the action of the Board of Control, in reference to the Board of Lady Managers.