

# The Negro And The Elective Franchise. A Series Of Papers And A Sermon

The American Negro Academy. Occasional Papers, No. 11.

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Archibald H. Grimké, Charles C. Cook, John Hope, John L. Love, Kelly Miller and  
Rev. Frank J. Grimké.  
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## The Meaning And Need Of The Movement To Reduce Southern Representation—*ARCHIBALD H. GRIMKÉ*

In 1787 when the founders of the American Republic were framing the Constitution they encountered many difficulties in the work of construction, but none

greater than the bringing together on terms of equality under one general government of the slave-holding and the non-slave-holding states. The South was willing to enter the Union provided always that its peculiar labor and institutions received adequate protection in that instrument. And this the North had finally to consent to incorporate into the organic law of the new nation. One of these concessions was known as the Slave Representation Clause of the Constitution, which gave to the Slave section the right to count five slaves as three freemen in the apportionment of representatives. This concession did not probably seem at the time like an exorbitant or ruinous price for the North to pay for the Union, but subsequent events proved it to be both exorbitant and ruinous in the political burden which it imposed upon that section, and in the political perils which grew naturally out of the situation, and which were produced by it.

Everybody now-a-days seems to forget, or makes believe to have forgotten, this lamentable chapter in our history, and its application to present day evils—everybody but a few far-seeing Negroes, and a few far-seeing white men at the North. It is well not to forget this chapter ourselves, or to let the country make believe to have forgotten it, as it contains a lesson which it is dangerous to forget.

History repeats itself and will continue to do so just as long as men are men, and the passion for power and the struggle for domination lasts among them. Such a struggle set in between the two sections almost immediately after the adoption of the Constitution. With industrial and political ideas, interests, and institutions directly opposed to each other, rivalry and strife between them became from the beginning unavoidable. Any one not totally blinded by the then emergent needs of the moment could not fail to foresee something of the consequences which were sure to follow such a union of irreconcilable forces and passions under one general government. Each set of antagonistic ideas and interests was compelled by the great law of self preservation to try to get possession of the government in its battle with the other set. And in this conflict of moral and economic forces and ideas the three-fifths slave representation clause of the Constitution gave to the South a distinct advantage, an advantage which told immediately and powerfully in its favor. For the right to count five slaves as three freemen in the apportionment of representatives among the several states placed the political power of the Southern states in the hands not of all the whites but of a small and highly trained and organized minority only, namely; the master class. This circumstance solidified the South, and gave to its action a unity and energy of purpose which the industrial democracy of the North always lacked. As a consequence, Southern men obtained speedy possession of the National Government, and shaped National Legislation and policy to advance best the peculiar ideas and interests of their section. The big end of the National Government lay plainly enough well to the south of Mason and Dixon's line during the

first twenty-five years of the existence of the Union. The course of events during this period revealed this bitter fact to New England. For she was outwitted, out-voted and over-matched again and again in national legislation and administrative measures by the slave oligarchy, which ruled the South and dominated in national affairs.

For instance, New England opposed the embargo and the retaliatory measures of Mr. Jefferson's administration, which destroyed her splendid carrying trade, and bore distress to hundreds of thousands of her people. She opposed the War of 1812 because it seemed to her inimical to her interests, but regardless of protests and cries the embargo was laid on her ports and shipping, the War against Great Britain was declared. She was forced to dance, volens-nolens, to the rag-time music of her Southern rival. She danced in both instances while discontent grew apace in her hot, surcharged heart. She did not disguise the ugly fact that she was sick of her bargain under the Constitution—was discontented almost to disaffection with Southern domination in the Union. Out of this widespread discontent and incipient disaffection sprang the Hartford Convention to voice this growing Anti-Southern sentiment, and to cast about for a remedy for what was rightly deemed bad political conditions. The great question with which this celebrated convention grappled was, in fact, the undue and disproportionate power wielded by the slave oligarchy in national affairs, and how best to impose a check upon its further growth. It could think apparently of but one remedial measure to relieve the situation, and that was the imposition of a check on any further increase in the then existing number of states. But while the resolution which embodied this rather doubtful remedy referred to states in general, it was intended when read between the lines, to refer to slave states in particular.

That was the first blow aimed by the industrial democracy of the North at this aristocratic feature of the National Constitution, namely: the right to count five slaves as three freemen in the apportionment of representatives among the states. It was felt at the time and much more strongly and generally afterward, that this three-fifths slave representation clause which enabled a small minority of the people of the South to wield the political power of that section, and in any controverted question between the sections to neutralize the free-will of every three freemen by the dummy-will of every five slaves, was an unjust and dangerous advantage possessed by the slave oligarchy over its sectional rival, the free democracy of the North.

The consciousness of this political wrong and danger was at the bottom of the bitter opposition on the part of the North to the admission of Missouri as a slave state, to the annexation of Texas, and to the Mexican War. It was at the bottom of the fierce cry which rose all over that section at the close of that

war, "No more slave territory, no more slave states." It was the soul of the great movement which beat back the slave tide from Kansas and saved that state to freedom. It was, in fact, this struggle of the free states to reduce to a minimum the peril to its industrial democracy which grew out of the slave representation clause of the Constitution, and the resistance of the slave states to such a movement, which produced the war between the sections. This war ended in the destruction of slavery and as the North supposed and intended, in the total destruction of this right of the South to count five slaves as three freemen in the apportionment of representatives among the several states in the newly restored Union.

But wrong does not die under a single stroke. It has a strange power of metamorphosis, i. e. ability to change its form without losing its identity. The slave power, which everybody at the North imagined to be dead, re-appeared almost at once as the Southern serf power, in consequence of legislation enacted in the then lately rebellious states by the old slave masters. They had lost their slaves, to be sure, and the political power incident under the Constitution to such ownership, but they had not lost the political cunning and determination to create a similar power out of the social forces and material which lay in disorder about them.

The reconstruction of the South by the old slave oligarchy resulted in the threatened rise in national affairs of an African serf power more formidable to the North than was the old slave power than five is greater than three in federal numbers. This threatened rise in national politics of an African serf power aroused the North to the danger which girt afresh the supremacy of its industrial democracy in the Union. It thereupon set about the work of removing this peril forever. In doing this work it unfortunately limited itself exclusively to the use of political agencies. But there is no doubt that what it did in reconstructing the old slave states was meant to be thorough. It meant to extirpate root and branch, from the Constitution the right of the South to count five slaves as three freemen, or five serfs as five freemen in the apportionment of representatives among the states. This was the plain purpose of the whole body of congressional legislation looking to southern reconstruction. It is the plain purpose likewise of the 14th and 15th amendments to the Constitution.

All of these great acts were intended to destroy utterly the basis on which rested the old slave power, and on which would rest the new serf power, namely: inequality and race subjection. The 13th amendment abolished slavery, the 14th raised the former slaves to citizenship, and the 15th conferred on them the right to vote. The whole scheme for removing forever this evil seemed on paper complete enough, and in practice it would undoubtedly have proven effective had not an unexpected difficulty arisen when it was put into operation. This unexpected difficulty was the attitude of the Supreme Court in interpreting the laws made

in pursuance thereof. The effect of the decisions of this tribunal has almost invariably been against the Negro's claim to equality, and in favor of the Southern contention of the existence of two races in the south, one permanently dominant and the other permanently servile, and that the maintenance of this state of race superiority on the one side, and of race inferiority on the other furnished the only working plan of their living in peace together or of their making any further progress in civilization. Owing to this deplorable attitude the Supreme Court has been a hindrance rather than a help in the settlement of this question. No relief need be looked for from it, therefore, under the circumstances. Relief, if it comes at all, must come from another quarter of the political system under which we live. And for such relief fortunately, the 14th amendment has adequately provided. All that is necessary to render the provision of this amendment, which is applicable to the present situation, effective are courage and common sense. But alas, courage and common sense in respect to this subject seem to be sadly lacking to-day both at the North and among the Negroes as well.

The provision of the 14th amendment just referred to reads as follows: "Representatives shall be apportioned among the several states according to their respective numbers counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the Legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state."

Every Southern state has virtually by one device or another, since the adoption of the 14th and 15th amendments, denied to its colored citizens the right to vote. This was first done by the shot-gun method, which gave place in time to fraudulent manipulations of electoral returns, and this in turn to "grandfather" and "understanding clauses" administered by prejudiced registration boards in those states which have revised their constitutions. Says Professor Dunning in an article on "The Undoing of Reconstruction" in the Atlantic Monthly for October, 1901: "With the enactment of these constitutional amendments by the various states, the political equality of the Negro is becoming extinct in law as it has long been in fact, and the undoing of reconstruction is nearing completion." Now this statement is exactly true. The South has everywhere nullified in practice the 14th and 15th amendments to the Constitution. It denies to black men the right to vote, but it counts at the same time those same black men in the

apportionment of its representatives. The present serf power therefore, enjoys to-day a right far greater than that enjoyed by the old slave power, for it counts five of its disfranchised black citizens not as three but as five free men. It has achieved the extraordinary feat of eating its political cake and keeping it at the same time.

In South Carolina, for example, where the blacks outnumber the whites by 224,326, and in Mississippi where the colored population is in excess of the white by 263,640, "the influence of the Negroes in political affairs," as put by Prof. Dunning, "is nil." And this is substantially true of almost everyone of the old slave states whether they have or have not revised their constitutions. Says Prof. DuBois: "To-day the black man of the South has almost nothing to say as to how much he shall be taxed, or how those taxes shall be expended, as to who shall make the laws and how they shall be made. It is pitiable that frantic efforts must be made at critical times to get law-makers in some states even to listen to the respectful presentation of the black side of a current controversy."

Entrenched in the South to-day is an aristocracy based on race. The whole tendency of things down there is to de-citizenize the blacks, to reduce them to a state of permanent political and industrial subordination to the whites. This is aristocratizing the republic with a vengeance. For with the right to vote, the right to a voice in making the laws, denied to any class of people in an industrial republic like ours, such class must go from bad to worse in the struggle for bread, for existence, in competition with more favored classes. It does more: it reduces the efficiency of such a class as a producer of wealth not alone in respect to itself, but in respect to the section in which it lives as well. For whatever degrades and wrongs such a class degrades and wrongs the community and the country of which it forms a part. And there is no help for it, for such is the natural law of retribution which no "understanding" and "grandfather clauses" and registration boards, however adroitly devised, can in the long run possibly evade or nullify. This then is the deplorable economic situation with regard to whites and blacks alike in the Southern states, as a direct consequence of the undoing of the 14th and the 15th amendments to the Constitution by those States. The degradation of their black labor will ultimate in the degradation of their white labor also. In fact, the disfranchisement of the blacks operates practically everywhere down there as a disfranchisement of the great body of the whites likewise. For disuse of a power, whether physical or political, begets in time disinclination and then incapacity for exercising the same. The right to vote, under present political conditions which prevail throughout that section, is, as a matter of fact, exercised but by a small minority of the whites only. The total vote, for example, cast for representatives in Southern congressional districts is surprisingly slight in comparison with that cast in Northern congressional districts. The same is true

of the vote for presidential electors, and for the executive, legislative and judicial officers of the various southern states for that matter. A handful of ruling whites, and that not of the best class as in antebellum times, casts to-day the entire vote of that section as represented by all of its black and a large majority of its white citizens, at national and state elections.

For instance, the average vote cast for Congressmen by Northern congressional districts during the election of 1898 was over 35,000, while that cast by Arkansas, Georgia, Louisiana, Mississippi and South Carolina, which are operated in effect on the Mississippi plan, was less than 5,000. The total vote cast for 37 congressmen by those five Southern states was only 184,602, while the total vote polled by the state of New York for 34 congressmen was 1,250,000, i. e. 184,602 electors in those five Mississippi-ized states had actually a larger congressional representation by three than had the 1,250,000 voters of the Empire state. Again, take the case of Kansas, which though casting 100,000 more votes at its congressional election in 1898, than were cast by these same five Southern states combined, yet Kansas had but seven representatives in Congress to guard and promote her peculiar interests against the 37 who sat in the House to guard and promote the peculiar interests of the ruling oligarchy of those five de-republicanized Southern states.

But let us look more closely into this matter. Alabama with a population of 1,828,697, and nine representatives in Congress polled at the Congressional election, in 1902 a total vote of 90,105 for the nine districts, while the new state of Washington with a population of 518,103 and three representatives polled at the same election a total vote of 93,681, i. e., there were 3,000 more votes polled to elect three congressmen in Washington than Alabama polled to elect nine. Again, Mississippi with a population of 1,531,270 and eight representatives in Congress polled at the same election a total vote of 18,058 for the eight congressional districts, while little Idaho with a population of 161,772 and one representative polled at the same time a vote of 57,712, which exceeded more than three times the vote polled by Mississippi for eight representatives. Or let us take Louisiana with a population of 1,381,625 and seven representatives in Congress, and her total vote of 26,265 during the same election for seven districts and contrast these figures with those of Rhode Island with a population of 428,556 and two representatives. The Rhode Island figures are 56,064, or nearly double the vote of Louisiana for seven congressional districts. Or again, let us glance in passing at South Carolina with a population of 1,340,316 and seven representatives in Congress, and New Hampshire with a population of 411,588 and two representatives. The first polled in 1902 at the election of her seven congressmen 32,085 votes, and the second at the election of her two representatives polled at the same time 74,833. In other words, there were nearly 43,000 less votes polled in South

Carolina to elect seven Congressmen than were polled in New Hampshire to elect two. To sum up: Alabama, Louisiana, Mississippi, and South Carolina with an aggregate population of 6,106,908 and 31 representatives in Congress cast in 1902 a total vote of 166,576 in 31 congressional districts, while Idaho, New Hampshire, Rhode Island and Washington with an aggregate population of 1,500,000, and eight representatives polled at the same general elections a total vote of 282,294 in their eight congressional districts. The average vote for each of the 31 Southern congressional districts was 5,530; while that for each of the eight Northern districts was 35,287. Why Massachusetts alone with a population of 2,805,346 and 14 representatives rolled up a vote to elect these 14 congressmen more than double that which the four Southern states with a population of over 6,000,000 polled to elect their 31 representatives!

Again: At the presidential election last November the combined vote of Alabama, Louisiana, Mississippi and South Carolina, for 39 electors was less than 200,000 or to be exact was just 186,253, while the vote of Massachusetts for 16 electors was 442,732. In other words, the vote of Massachusetts for her 16 representatives in the electoral college, exceeded that of the four Southern states for their 39 in the same body by more than 250,000 polls. Once more: Is it not immensely ominous and significant the marked shrinkage in 1904 of the popular vote for electors in Alabama, North Carolina, and Virginia, states which had but recently revised their constitutions, as compared with the popular vote of the same states for electors in 1900? There was for example a shrinkage of the popular vote in Alabama of nearly 50,000 polls; in North Carolina the shrinkage amounted to nearly 85,000, and in Virginia it ran up to more than 135,000. These figures are eloquent of great wrongs done the Negro. They are not less eloquent of great dangers which now threaten to subvert free institutions in the Republic.

Since the elections of 1898 things in the South went rapidly in respect to this subject from bad to worse. Alabama, North Carolina and Virginia followed the example of Mississippi and revised their constitutions. This reactionary movement of the Southern oligarchy has reached as far north as Maryland, and the work of aristocratizing her constitution and of Jim-Crowing her laws is now nearing completion. Where is this movement to stop? Will it halt south of Mason and Dixon's line unless drastic measures are speedily adopted by the National Government to arrest it? No, this aristocratic revolution will certainly, unless checked, invade the North, attacking and overthrowing first the political rights of black men in that section, and later those of other classes of citizens industrially and politically feebler than the rest until one after another of the states now free shall have succumbed to the rule of class and plutocratic power. Then indeed will the undoing of the 14th and the 15th amendments, and of democratic institutions in America, be complete. Not until then will the movement, which

is fast aristocratizing the Republic, stop its steady advance. I am no alarmist, but am telling the sober truth. Those who have eyes to see, let them look around at the ominous signs of this advancing evil. Those who have ears to hear, may hear everywhere about them the foreboding sounds of this rising flood of wrong and inequality, this growing disregard for law, this denial to the people of a voice in government, whether state, colonial or national, which characterize the present period of our national history.

It will not be impertinent for me to add by way of concluding this article, a few words regarding some of the political consequences, which would be sure to follow a reduction of Southern representation in Congress and the electoral college. It would, in the first place, reduce the political strength of the South as a factor in national legislation, diminish its relative importance as an element in national politics. That section is insolent, exacting and aggressive to-day on the Negro question because it has so much numerical strength in Congress and the electoral college by reason of its suppressed Negro vote. Reduce that strength by a judicious blood-letting to the number of twenty-five or thirty-five representatives and there will follow in due time a corresponding reduction of its arrogance and aggressiveness on the race question. For as it declines in relative strength in Congress and the electoral college it will decline in relative importance in management and leadership of the democratic party also. It will gradually lose its controlling influence over that party, cease ultimately to dominate it on the Negro question. The relative decline of the South in Congress and the electoral college—means, of course, the relative increase of the North in the same branch—means that in time the North will pay less heed to the claims of the South, to its threats, and more to the claims, to the case of the Negro. It means more. The relative decline of the South as a factor in national politics means the relative increase of the northern wing of the Democratic party in the control of that party, in the shaping for that party of a more liberal policy on the Negro question. For as the northern wing of this party gains in relative strength, in numerical importance over that of the South, it will be tempted more and more to solicit the support of the Negro vote of the North. In close elections and in pivotal states the Democrats of the North will thereupon make liberal declarations and positive bids in order to win this vote from the Republican party.

This consideration brings me to a second consequence, which would follow a reduction of southern representation. And that is this: It will put an end to the present period of good will and peace between the sections, so disastrous to the rights of the Negro. Such a measure will usher in a period of bitter difference and strife between the two sections again. These differences will not arise merely between the Republicans of the North and the white South, but between democrats of the North and democrats of the South on the Negro question as

well. For the northern wing of the Democratic party cannot bid for the colored vote of its section without offending the South and therefore sowing seeds of alienation and strife between them on the question of the rights and wrongs of the Negro, as a citizen. There will follow such differences and strife between the sections, a reaction at the North in favor of the Negro. Public sentiment for juster treatment of the race will gain thereafter steadily in strength. It will influence the Republican party to give to the question a more radical treatment than it now gives it, to take steps to enforce by appropriate legislation the 15th amendment of the Constitution. Such growing public sentiment in favor of according the Negro fairer treatment may do more, it may be able to reach even that pro-Southern tribunal, the Supreme Court, and put like the bees of the Bible honey for the race in its hitherto cold and unresponsive body. Even it may be influenced in time to twist the law in favor of human liberty, not against it, as now. And lastly, it will give the silent South a chance to be heard on the Negro question. It will give it a chance to appeal from those states drunk on the race question, to their sober second thought, a chance to show them the folly and madness of their disfranchisement and consequent degradation of their Negro labor as an economic factor in their development and civilization. And so liberal sentiment towards the Negro may be awakened in the South and be made thus to spread slowly downward as a leavening influence.

And in the third place, reducing Southern representation in Congress and the electoral college will not hurt the Negro. It will not take away from him any right which he now enjoys down there. The doing so cannot in any way change his actual status either in law or in fact. He is now disfranchised; Congress will still have power to enforce the 15th amendment by appropriate legislation and it will do so whenever it can screw its courage to the sticking point. The reduction of Southern representation will certainly break up the present apathetic state of the country in respect to the Negro. With this breaking up there will follow a reaction in favor of freedom, and there will arise in due time a public sentiment which will bring legislation to enforce the right of the Colored people of the South to the ballot well within the range of the possible, yea of the probable, if the South persists after reduction,—but it will not long persist,—in its present purpose to nullify the 15th amendment, and to reduce its Colored people to a condition of a permanently subordinate and servile class, without rights as men or as citizens which southern white people are bound to respect. Let southern representation in Congress be therefore reduced. The sooner the better it will be for the Negro and the Nation.

The law department of the United States Government has at last moved effectively against the meat trust. And I see that the Interstate Commerce Commission is looking into the charge that certain railroads are practicing by a system

of rebates discrimination against shippers of live stock, and in favor of packing house products and dressed meats. But alas, how different has been the attitude of the national government toward investigating that greatest of all discriminations in the Republic, namely: the wholesale disfranchisement of Negroes in the South because they are Negroes. A few years ago one of the bravest and most far-seeing of the representatives of Massachusetts in either branch of Congress offered a resolution to investigate the subject merely. The administration, which was then, and they say is now opposed to meddling in this particular manner with the Southern question, was found equal to the occasion. When it failed to silence the voice of Congressman Moody regarding the matter, it lifted him with masterly state craft from the floor of the House, and landed him safely in the Cabinet where he is still, and where his silence might the better be secured. Thus passed the Moody resolution to dusty death, and the place which knew it once in Congress hath known it no more, and will know it no more forever.

But there is another Congressman who for years has watched keenly the growth of this threatening evil, the growth of this wrong so subversive of the rights of the blacks at the South, and so harmful to the interests of our industrial democracy at the North. Five years ago he thought it was high time for the general government to address itself to that subject, and accordingly proposed from his place in Congress suitable measures for that purpose. Unfortunately for Congressman Crumpacker's proposition the presidential election of 1900 was at the time approaching and which, in the opinion of the McKinley administration, called loudly then for silence and oblivion on this vexed question. In obedience to this loud call of the Moloch of party success at the polls, Mr. Crumpacker's bill suffered death by asphyxiation in committee.

The matter was, however, revived by Mr. Crumpacker in a subsequent Congress in the form of a resolution which provided for the appointment by the Speaker of a select committee of thirteen "whose duty it shall be, and who shall have full and ample power to investigate and inquire into the validity of the election laws of the several states and the manner of their enforcement, and whether the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of any of the states or the members of the legislature thereof, is denied to any of the male inhabitants of any of the states, being twenty-one years of age and citizens of the United States, or in any way abridged, except for crime." This resolution so reasonable, moderate, and just, fell a victim, so it was reported at the time, to a shrewd bargain struck between the Southern oligarchy on the one hand and the Republican managers of Cuban reciprocity on the other. The Crumpacker resolution was put to sleep amidst the dust heaps of old congressional documents, where it has slept without waking until the present session of

Congress, when its profound slumber has been disturbed by renewed attempts made in both branches of the National legislature to revive the subject, and to do what the Republican national platform of 1904 pledged that party to do in the event of its triumph at the polls, according to the plain meaning and purpose of the following plank in that platform.

"We favor such Congressional action as shall determine whether, by special discrimination, the elective franchise in any state has been unconstitutionally limited: and if such is the case we demand that representation in Congress and in the electoral college shall be proportionally reduced as directed by the Constitution of the United States."

And while the Republican party hesitates to redeem its solemn pledge made to the people before the elections last November, the tide of intolerable wrong, of imminent peril:—of intolerable wrong to the blacks and of imminent peril to the Republic, is advancing nearer and rising higher and higher toward the point where to ignore it much longer will mean widespread and far-reaching disaster to our industrial democracy, to Republican institutions in America. On its crest I see approaching forces strong enough to subvert the Constitution, not only in the South but in the North—forces strong enough to uprear on its ruins the vast fabric of plutocratic empire and despotism.

The warning is sounding in our ears, it is sounding in the ears of the people all over the land. Do we heed it, will they?

# The Penning of the Negro—*CHARLES CHAU- VEAU COOK*

[The Negro in the States of the Revised Constitutions]

The following States have revised their constitutions for the purpose of excluding colored voters, and in the following order:—

(1) MISSISSIPPI.

Section 241, Article 12, constitution of Mississippi, defining who are electors:

”Every male inhabitant of the state, except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, twenty-one years of age and upwards, who has resided in the state two years, and one year in the election district \* \* \* in which he offers to vote and who is duly registered as provided in this article, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretence, perjury, embezzlement, or bigamy, and who has paid on or before the 1st day of February of the year in which he offers to vote, all taxes which may have been legally required of him and who shall produce to the officer holding the election satisfactory evidence that he has paid his taxes.”

Section 242 of Article 12, further provides that persons offering to register shall take the following oath:

”I do solemnly swear that I am twenty one years old and that I will have resided in the state two years and (this) election district for one year preceding the ensuing election, and am now in good faith a resident of the same, and that I am not disqualified from voting by reason of having been convicted of any of the crimes mentioned in the constitution of this state as a disqualification to be an elector, that I will truly answer *all questions propounded to me concerning my antecedents so far as they relate to my right to vote* and also as to *my residence before my citizenship in this district*, that I will support the constitution of the United States and of the state of Mississippi and will bear true faith and allegiance to the same—so help me God.

Any willful and corrupt false statement in said affidavit or in answer to any material question propounded as herein authorized shall be perjury.”

Section 244, Article 12, constitution of Mississippi, requires that:

”On and after the first day of January, 1892, every elector in addition to the foregoing qualifications, shall be able to read any section of the constitution of this state; or shall be able to understand the same when read to him, or give a reasonable interpretation thereof.”

(2) SOUTH CAROLINA.

Subdivision (c). ”Up to January 1, 1898, all male persons of voting

age applying for registration, who can read any section of this constitution submitted to them, *or understand and explain it* when read to them by the registration officer, shall be entitled to registration and become electors.”

Subdivision (d). “Any person who shall apply for registration after January 1, 1898, if otherwise qualified, shall be registered: *Provided* that he can both read and write any section of the constitution submitted to him by the registration officer or can show that he owns and has paid taxes collectible during the previous year on property in this state assessed at three hundred dollars (\$300) or more.”

### (3) LOUISIANA.

Section 3. “He (the voter) shall be able to read and write, and shall demonstrate his ability to do so when he applies for registration, by making, under oath administered by the registration officer or his deputy, written application therefor, in the English language, or his mother tongue, which application shall contain the essential facts necessary to show that he is entitled to register and vote, and shall be entirely written, dated, and signed by him, in the presence of the registration officer or his deputy, without assistance or suggestion from any person or memorandum whatever, except the form of application hereinafter set forth: *Provided, however,* That if the applicant be unable to write his application in the English language, he shall have the right, if he so demands, to write the same in his mother tongue from the dictation of an interpreter; and if the applicant is unable to write his application by reason of physical disability, the same shall be written at his dictation by the registration officer or his deputy, upon his oath of such disability. The application for registration, above provided for, shall be a copy of the following form, with the proper names, dates, and numbers substituted for the blanks appearing therein, to wit:

“I am a citizen of the State of Louisiana. My name is ——. I was born in the State (or country) of —, parish (or county) of —, on the — day of —, in the year —. I am now — years — months and — days of age. I have resided in this State since —, and am not disfranchised by any provision of the constitution of this State.”

Section 4. “If he be not able to read and write, provided by section 3 of this article, then he shall be entitled to register and vote if he shall, at the time he offers to register, be the bona fide owner

of property assessed to him in this State at a valuation of not less than \$300 on the assessment roll of the current year, if the roll of the current year shall not then have been completed and filed and on which, if such property be personal only, all taxes due shall have been paid.”

Section 5. ”No male person who was on January 1, 1867, or at any date prior thereto, entitled to vote under the constitution or statute of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than 21 years of age at the date of the adoption of this constitution, and no male person of foreign birth, who was naturalized prior to the first day of January, 1898, shall be denied the right to register and vote in this State by reason of his failure to possess the educational or property qualifications prescribed by this constitution: *Provided*, He shall have resided in this State for five years next preceding the date at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898; and no person shall be entitled to register under this section after said date.”

#### (4) NORTH CAROLINA.

Section 4. ”Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language; and, before he shall be entitled to vote, he shall have paid, on or before the 1st day of May of the year in which he proposes to vote, his poll tax for the previous year as prescribed by Article V, section 1, of the constitution. But no male person who was, on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any state in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualification herein prescribed, provided he shall have registered in accordance with the terms of this section prior to December, 1908.

”The general assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless disqualified under section 2

of this article: *Provided*, Such person shall have paid his poll tax as above required.”

(5) ALABAMA (in effect Nov. 28th, 1901.) entitled to register:—

These sections of the Alabama constitution were before the Supreme Court in the case of *Giles v. Harris*, (189 U. S. 475,) and the general plan of voting and registration was summarized by Mr. Justice Holmes, delivering the opinion of the court as follows:

”By section 178 of article 8, to entitle a person to vote he must have resided in the State at least two years, in the county one year and in the precinct or ward three months, immediately preceding the election; have paid his poll tax, and have been duly registered as an elector. By section 182, idiots, insane persons and those convicted of certain crimes are disqualified. Subject to the foregoing, by section 180, before 1903 the following male citizens of the State, who are citizens of the United States, were entitled to register, viz: First. All who had served honorably in the enumerated wars of the United States, including those on either side of the ‘war between the States.’ Second. All lawful descendants of persons who served honorably in the enumerated wars or in the war of the Revolution. Third. ‘All persons who are of good character and who understand the duties and obligations of citizenship under a republican form of government.’ By section 181 after January 1, 1903, only the following persons are entitled to register: First. Those who can read and write any article of the Constitution of the United States in the English language, and who either are physically unable to work or have been regularly engaged in some lawful business for the greater part of the last twelve months, and those who are unable to read and write solely because physically disabled. Second. Owners or husbands of owners of forty acres of land in the State, upon which they reside, and owners or husbands of owners of real or personal estate in the State assessed for taxation at three hundred dollars or more [...] [By section] 183, only persons qualified as electors can take part in any method of party action. By section 184, persons not registered are disqualified from voting. By section 185, an elector whose vote is challenged shall be required to swear that the matter of the challenge is untrue before his vote shall be received. By Section 186, the legislature is to provide for registration after January 1, 1903, the qualifications and oaths of the registrars are prescribed, the duties of the registrars before that date are

laid down, and an appeal is given to the county court and Supreme Court if registration is denied. There are further executive details in section 187, together with the above-mentioned continuance of the effect of registration before January 1, 1903. By section 188, after the last-mentioned date applicants for registration may be examined under oath as to where they have lived for the last five years, the names by which they have been known, and the names of their employers.”

(6) VIRGINIA. (in effect July 10th, 1902.)

Article II, Section 18. ”Every male citizen of the United States, twenty-one years of age, who has been a resident of the State two years, of the county, city or town one year, and of the precinct in which he offers to vote, thirty days, next preceding the election in which he offers to vote, has been registered, and has paid his state poll taxes, as hereinafter required, shall be entitled to vote for members of the General Assembly and all officers elected by the people; but removal from one precinct to another, in the same county, city or town shall not deprive any person of his right to vote in the precinct from which he has moved, until the expiration of thirty days after such removal.”

Section 19. ”There shall be general registrations in the counties, cities and towns of the State during the years nineteen hundred and two and nineteen hundred and three at such times and in such manner as may be prescribed by an ordinance of this Convention. At such registrations every male citizen of the United States having the qualifications of age and residence required in Section Eighteen shall be entitled to register, if he be:

”First. A person who, prior to the adoption of this Constitution, served in time of war in the army or navy of the United States, of the Confederate States, or of any State of the United States or of the Confederate States; or

”Second. A son of any such person; or

”Third. A person, who owns property, upon which, for the year next preceding that in which he offers to register, state taxes aggregating at least one dollar, have been paid; or

”Fourth. A person able to read any section of this Constitution, submitted to him by the officers of registration and to give a reasonable explanation of the same; or, if unable to read such section, able to understand and give a reasonable explanation thereof when read

to him by the officers.

"A roll containing the names of all persons thus registered, sworn to and certified by the officers of registration, shall be filed, for record and preservation, in the clerk's office of the circuit court of the county, or the clerk's office of the corporation court of the city, as the case may be. Persons thus enrolled shall not be required to register again, unless they shall have ceased to be residents of the State, or become disqualified by section Twenty-three. Any person denied registration under this section shall have the right of appeal to the circuit court of his county, or the corporation court of his city, or to the judge thereof in vacation."

Section 20. "After the first day of January, nineteen hundred and four, every male citizen of the United States, having the qualifications of age and residence required in section Eighteen, shall be entitled to register, provided:

"First. That he has personally paid to the proper officer all state poll taxes assessed or assessable against him, under this or the former Constitution, for the three years next preceding that in which he offers to register;

"Second. That, unless physically unable, he make application to register in his own hand-writing, without aid, suggestion or memorandum, in the presence of the registration officers, stating therein his name, age, date and place of birth, residence and occupation at the time and for the two years next preceding, and whether he has previously voted, and, if so, the state, county and precinct in which he voted last; and,

"Third. That he answer on oath any and all questions affecting his qualifications as an elector, submitted to him by the officers of registration, which questions, and his answers thereto, shall be reduced to writing, certified by the said officers, and preserved as a part of their official records."

Section 21. "Any person registered under either of the last two sections, shall have the right to vote for members of the General Assembly and all officers elective by the people, subject to the following conditions:

"That he, unless exempted by section Twenty-two, shall, as a prerequisite to the right to vote after the first day of January, nineteen hundred and four, personally pay, at least six months prior to the election, all state poll taxes assessed or assessable against him under this Constitution, during the three years next preceding that in

which he offers vote; provided that, if he register after the first day of January, nineteen hundred and four, he shall, unless physically unable, prepare and deposit his ballot without aid, on such printed form as the law may prescribe; but any voter registered prior to that date may be aided in the preparation of his ballot by such officer of election as he himself may designate.”

Section 22. ”No person who, during the late war between the States, served in the army or navy of the United States, or the Confederate States, or any State of the United States, or of the Confederate States, shall at any time be required to pay a poll tax as a prerequisite to the right to register or vote.”

Section 23. ”The following persons shall be excluded from registering and voting: Idiots, insane persons, and paupers; persons who, prior to the adoption of this Constitution, were disqualified from voting, by conviction of crime, either within or without this State, and whose disabilities shall not have been removed, persons convicted after the adoption of this Constitution, either within or without this State, of treason, or of any felony, bribery, petit larceny, etc.”

The intention of these acts needs no showing. They have three points in common: (a) Some device enabling all the white voters to evade the force of the disfranchising clauses; (b) The limiting clauses themselves which deprive a majority of the colored voters of their franchise; (c) The reservation of sufficient discretionary power in boards of registrars to enable them to give full effect to the acknowledged purpose of the framers of the constitutions. I know of no lesson they can teach us, except how to do the things we ought not to do. In some cases, by knowing the way down, one may, by reversing the steps taken, regain the lost height. But it is not so here; our fall, like our rise, has been too sudden. We have been thrown from a window, and before we could understand our position, legislated out of a back gate. Only by superior chicane can we repair the second injury, only by superior force repair the first—unless there be justice in the heart of the nation. It behooves us then to study carefully the state of public opinion in the country, which underlies these laws, and gives them whatever stability they possess.

There is, of course, a series of events leading up to this radical change in the institutions of the Republic, a history beginning before the formation of the Union itself. The first part was African slavery. Religious, moral and economic forces had acted upon serfdom, the more common sort of slavery in Europe, and aided by the resulting increase of vigor among the serfs themselves, had disin-

tegrated it. But these forces either did not act upon the trade in Negro slaves, when profits to be obtained from that traffic filled the minds of merchants, or were helpless to stop it. The New World was not, like the Old, overcrowded, but in need of laborers—and the slaves were blacks. Tropical South America, the West Indies, and the hot belt of the United States absorbed hundreds of thousands of Negro slaves. All the forces above enumerated set to work again after a time and slavery once more began to disintegrate. In this country it had become firmly rooted in the Southern states, where the same American people who had fought in '76 for the freedom of two million white men, women and children fought as stubbornly to keep in slavery four million black men, women and children. But victory was again to crown the cause of freedom, and by the will of the victors, forced forward by the unbroken spirit of resistance of the conquered, these four millions of slaves were declared possessed of freedom, civil rights and political privileges.

Said Lord Shaftesbury to Charles the Second, when called on for his resignation as Lord Chancellor, "It is only to lay aside the gown and take up the sword." The South, defeated in arms, reversed the process, and laying down the musket, put on the gown of the law-maker, and began to accomplish by legislation, the reenslavement of the millions set free. Hampered in this, for a time by the armies and the northern civil officers, who obtained power largely by the suffrage of the colored people, and by the colored voters themselves, the Southern men waited for the withdrawal of the Union armies—an event hastened by outcry at home—and then taking out the side-arms, which the generous terms of surrender had permitted them to retain, they rapidly dispersed the opposing force, and took the reins of government again into their own hands. With musket in one hand to retain political power, and pen in the other to undo the Reconstruction legislation, they soon deprived the black millions of all their transitory political and civil rights. It is hard to see that anything remained to be done. Emancipation laws and proclamations to the contrary, the Negro seemed safely penned. But moral and economic forces were still at work, and the end was not yet reached.

The South could no longer close its eyes to the want of prosperity. In 1890, Virginia, North Carolina, South Carolina, Alabama, Mississippi and Louisiana, in spite of their 262,175 square miles and abundant resources, had but 8,346,667 people and 288,405,107 dollars worth of manufactured products. An equal territory in the States of the North, namely; Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Ohio and Illinois with 260,823 square miles had 25,074,143 people and 6,484,643,842 dollars worth of manufactured products—which is to say, the Southern states had but one-third of the population, and one-twenty-second of

the manufactures of the same area North. The South wanting prosperity began to seek ways of obtaining it. This led to the consideration of obstacles: and first among these was the large and economically inefficient colored population. It must be made, for want of other labor, productive, a contributory agent to the new industrial prosperity of the South—and not the less, cut off from any sort of control, even of the industries, which by its labor must mainly be built up. The problem was a difficult one, yet such as the South felt itself able to solve. And many in the North stood ready to help.

In 1890, however, came troubles so serious as to require a diversion of attention from economical to political problems. The Republican party pledge to secure for all citizens 'a free ballot and a fair count' was yet unredeemed; and in that year a debate broke out in Congress over the fulfilling of its promise, with an Elections bill as the means. Simultaneously, the Populist movement was growing to threatening proportions. Before this, the cry had been that the Negro by sheer numbers could dominate, if not prevented from doing so. But now there presented itself a new and more threatening danger. "In any state where the whites divide," said Mr. Tillman in the Senate in 1900, "and they have divided in every Southern State except mine and Mississippi—into Populists and Democrats—the Negro has been the balance of power." The Populist movement died, but this phantasm once evoked, of a black man poised at the centre of the party see-saw, continued to hover at the beck of its creators until again wanted. The occasion, this time a lasting one, has been found in the balance of the Republican and the Democratic parties in the "border" states. So in Maryland, for a while, a "doubtful" state, where the colored population is but one-fifth of the whole, a disfranchising law is justified, apparently, by the danger to good government of allowing the Republican party to obtain control. Again, in the county and town election contests, even in the Southern states where the Democratic party is in entire possession of the State government, this compact(?) and mobile(?) army of black voters occupies a position of such strategical importance that unless they be dislodged by the most radical method their mastery must be forever acknowledged(?). Now, to conclude, since a dozen colored voters might hold the balance of power in town or county, the bitter irony of the situation is overwhelming.<sup>1</sup> The South is simply driven by its own irrefutable(?) logic

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<sup>1</sup>In West Virginia there are, on the Census basis (958,800 = whole population, less 43,499-colored population = 915,301-white population, divided by 3.6 = ratio of white population, generally to white males of voting age.) 254,250 white voters; and (43,499 = colored population, divided by 4.3-ratio of colored population to colored male adults = 10,116 colored voters, of whom 32.3 per cent. are illiterate, = 3267 illiterate colored men,) but 3,267 illiterate colored voters, or about one eightieth of the electorate (257,517 divided by 3,267): yet, even though the national ticket threatened to be hurt by it, it was impossible to stifle the cry for disfranchisement of ignorant black voters as the paramount issue of the West Virginia democratic campaign of 1904.

to total disfranchisement of the Negro, there being no safe stopping point short of the practical exclusion of the colored inhabitants of a dozen or more states from any part in the making or administering of the laws, national, state or municipal under which they live(!). All this the South, impelled by her honest desire(!) for good government, and resolutely turning her back upon past methods of fraud and violence,! means to accomplish legally—provided Congress and the Supreme Court throw over her naked but unalterable will the broad mantle of legality.

We are reminded of the story of the princess, who wandering in rags, came to a palace and begged accommodation there befitting one of royal blood. The old queen, not sure that she was a princess, determined to test her veracity in this way: She lay a pea upon the floor and piled upon it a dozen feather-beds. If she felt the pea, it was plain that she was a true princess. Morning came none too soon for the unhappy lady, who confessed to the queen having spent a miserable night, something hard in her bed having bruised her till she was black and blue. No longer could the queen doubt that she was a real princess, for who else could have been so delicate. And she was forthwith married to the heir apparent to the throne. So the South acts on the belief that if she be absolutely intolerant of the slightest degree of political power in the hands of colored men, that the North must see in the very violence of her antipathy, the hopelessness of any other solution.

This happily settled, the South after fifteen years of uncertainty, hopes to be able to turn her attention to material problems. But though the Caesars may rob February of days to enrich July and August, the seasons remain unchanged. The economic and moral laws of the universe remain in operation and give assurance that no solution can be more than temporary in which the Negro is dealt with falsely and unjustly.

Meantime what had been the course of the Republican party, which, by its own declaration "had reconstructed the Union with freedom instead of slavery as its corner-stone?" Listen to the reading of the suffrage planks in the platforms of ten presidential campaigns:—

[1868.]

The guarantee by Congress of equal suffrage to all loyal men at the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal States properly belongs to the people of those States.

The recent amendments to the National Constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be entrusted only to the party that secured those

amendments.

[1872.]

Complete liberty and exact equality in the enjoyment of all civil, political and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal legislation. Neither the law nor its administration should admit any discrimination in respect of citizens by reason of race, creed, color or previous condition of servitude.

[1876.]

The Republican party has preserved these governments to the hundredth anniversary of the Nation's birth, and they are now embodiments of the great truth spoken at its cradle—"that all men are created equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty and the pursuit of happiness; that for the attainment of these ends governments have been instituted among men, deriving their just powers from the consent of the governed." Until these truths are cheerfully obeyed, or, if need be, vigorously enforced, the work of the Republican party is unfinished.

The permanent pacification of the Southern section of the Union and the complete protection of all its citizens in the free enjoyment of all their rights is a duty to which the Republican party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent Constitutional Amendments is vested by those amendments in the Congress of the United States, and we declare it to be the solemn obligation of the legislative and executive departments of the Government to put into immediate and vigorous exercise all their constitutional powers for removing any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political and public rights. To this end we imperatively demand a Congress and a Chief Executive whose courage and fidelity to these duties shall not falter until these results are placed beyond dispute or recall.

[1880.]

The dangers of a "Solid South" can only be averted by a faithful performance of every promise which the Nation has made to the citizen. The execution of the laws, and the punishment of all those who violate them, are the only safe methods by which an enduring peace can be secured and genuine prosperity established throughout the South. Whatever promises the Nation makes the Nation must perform. A Nation cannot with safety relegate this duty to the States. The "Solid South" must be divided by the peaceful agencies of the ballot, and all honest opinions must there find free expression. To this end the honest voter must be protected against terrorism, violence or fraud.

[1884.]

The perpetuity of our institutions rests upon the maintenance of a free ballot, an honest count, and correct returns. We denounce the fraud and violence practiced by the Democracy in Southern States, by which the will of a voter is defeated, as dangerous to the preservation of free institutions; and we solemnly arraign the Democratic party as being the guilty recipient of fruits of such fraud and violence.

We extend to the Republicans of the South, regardless of their former party affiliations, our cordial sympathy, and pledge to them our most earnest efforts to promote the passage of such legislation as will secure to every citizen, of whatever race and color, the full and complete recognition, possession and exercise of all civil and political rights.

[1888.]

We reaffirm our unswerving devotion to the national Constitution and to the indissoluble union of the States; to the autonomy reserved to the States under the Constitution; to the personal rights and liberties of citizens in all the States and Territories in the Union, and especially to the supreme and sovereign right of every lawful citizen, rich or poor, native or foreign born, white or black, to cast one free ballot in public elections and to have that ballot duly counted. We hold the free and honest popular ballot and the just and equal representation of all the people to be the foundation of our republican government, and demand effective legislation to secure the integrity and purity of elections, which are the fountains of all public authority.

[1892.]

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot in all public elections, and that such ballot shall be counted and returned as cast; that such laws shall be enacted and enforced as will secure to every citizen, be he rich or poor, native or foreign born, white or black, this sovereign right guaranteed by the Constitution. The free and honest popular ballot, the just and equal representation of all the people, as well as their just and equal protection under the laws, are the foundation of our Republican institutions, and the party will never relent its efforts until the integrity of the ballot and the purity of elections shall be fully guaranteed and protected in every State.

[1896.]

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot, and that such ballot to be counted and returned as cast.

[1900.]

It was the plain purpose of the fifteenth amendment to the Constitution to prevent discrimination on account of race or color in regulating the elective

franchise. Devices of State governments, whether by statutory or constitutional enactment, to avoid the purpose of this amendment are revolutionary, and should be condemned.

[1904.]

We favor such Congressional action as shall determine whether by special discriminations the elective franchise in any State has been unconstitutionally limited, and, if such is the case, we demand that representation in Congress and in the electoral colleges shall be proportionally reduced as directed by the Constitution of the United States.

From '68 till '96 there was posted on the bill-boards of the party, the same declaration in favor of a free and unrestricted ballot, supported by the unyielding determination of the party to protect this right. But in that year there came a change. Perhaps it was that the mass of unredeemed pledges fell of their own weight, and the time seemed opportune to substitute a less weighty declaration; perhaps the party only sought a more efficient means of accomplishing its unalterable purpose. Whatever the cause, there began from this time, a diminuendo which has grown fainter until in 1904 the 15th Amendment was heard no more. To time, some say, must be left this task, too great for a political party to perform. But there is grave danger in leaving to time the execution of justice. The evil grows, the power of correcting it diminishes. Early in its course injustice may be stopped, later perhaps not at all. The future course of the party with regard 'to the supreme and sovereign right of every lawful citizen, rich or poor, white or black, to cast one free ballot in public elections and to have that ballot duly counted,' is gravely complicated by the rapid and momentous changes taking place in American society.

The gulf between the sections, which the Constitution merely bridged proved so deep, because it grew out of differences in the social, if not the moral natures of the inhabitants of the two parts of the country. These types have been compared to those opposed in the English Civil War, and hence called Puritan and Cavalier. But whatever the name, the differential fact was this: in the North men and women did their own work, while in the South others did their work for them. Until this great economic and social difference, which made diverging ideals, diverging habits, diverging tastes, ceased to be, real sympathy was impossible. That gulf, which widened into bitter civil war, is now closing; the two types are drawing nearer; the divorce between sections is shifting around to a divorce between classes. Therefore it is that in a part of the writing and ruling class, we feel that there is a gravitating of morals southward.<sup>2</sup> The North, which spent mil-

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<sup>2</sup>"The Republican party in its work of imposing the sovereignty of the United States upon eight millions of Asiatics, has changed its views in regard to the political relation of races and has at last

lions in lives and money to destroy Negro slavery in the South, seems engaged in making white slaves at home. If the political and social position of the white laborer in the North is declining, our chance of obtaining justice through active Northern sympathy is greatly lessened. In this issue which remains that of the comparative "hideousness" of the slave-holder and the slave, every foot added to the social separation of the Northern employer and employee is a stroke in the knell of political equality for the Negro.

It is a mistake, therefore, to assume that there is active in the country a spirit of freedom strong enough to set us free; a power employed in doing justice, strong enough to do justice to us. The country is returning to the conditions existing before '61, even passing these and returning to the conditions existing before 1776,—in politics, because it is doing the same in *morals*. Moral betterment requires that we put a deeper, broader and stronger foundation under the old foundation of our lives; and this can only be done by removing each day a bit of sand and filling in the space with stone. Days of tremendous business activity, or national triumph are not likely to be so spent.

We *must* not make the mistake of assuming that there is power in the nation to do us justice. "Not in a republic," some one may ask? No! Von Holst says: "That virtue is the specific vital principle of republics is a delusion. The historical course of development, natural circumstances, material interests and political and social customs are the elements by which, in all states without exception, the form of the state is in the first place conditioned." Not after the pledges of the Constitution, again it may be asked? No, the Constitution is an ideal, not a real body of law. Von Holst wrote: "Polk had once stated that the nature of American institutions offered the world ample security that the United States would never pursue a policy of aggressive conquest. Notwithstanding the commentary that he had himself given on this proposition, it contained a kernel of significant truth. The nature of their institutions forbade the United States to hold in violent subjection, under the iron hand of conquest, a realm of the extent of Mexico for any length of time. This would soon have become so perfectly clear to the people that they would either have driven the originator and guiding spirit of the war in shame and disgrace from his office and dignity, and have reduced all these conditions of peace to the utmost moderation, or they would have proceeded to a formal and complete incorporation of Mexico with the Union." And before 1900, as a result of the war with Spain, the impossible, the absolutely forbidden by the nature of their institutions had been accomplished. How obscure the vision

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virtually accepted the ideas of the South upon that subject. The white men of the South need now have no further fear that the Republican party, or Republican administrations, will ever again give themselves over to the vain imagination of the political equality of man."

—[Burgess—Reconstruction and the Constitution, page 298.]

of the historian! The Constitution is not written in the hearts of the American people, but in the sky, where it is hidden every cloudy day. And yet again, it will be asked: Not in the New World, not in America? Justice demands a careful consideration of every case; it cannot be machine-made; it cannot be wholesaled. The exact measure of justice is hard to find, harder to administer; it cannot be had without patient search, calm temper, righteousness, courage. I know not whether America has time to seek the intricate path of justice, or patience and courage to follow it when found. The cry 'forward' grows even louder, more insistent, more passionate. Can the country safely put down the brakes; dare it turn from its rapid way to material prosperity? But a little greater momentum is needed and reactionaries will rise only to be irresistibly swept aside. Doubts, weariness, exhaustion even will not stop the rapidly revolving wheels. Only in the *wake* of such frenzied progress there will follow rest, the rest of death. Study the wreckage in the South in the trail of slavery, black, and what is far worse, white illiteracy, brutality, wretched sloth. Observe the turning of defeat in the struggle into despair, then stagnation upon which forms a film, a scum, a crust which becomes strong enough to defy efforts to break it. So is brought about the stratification of society called caste. Above, the upper world, ever turning to law and punishment to crush those who threaten this floor, upon which they stand from beneath, ever appealing to the prejudices of their class to persecute into submission those whose sense of justice or generosity threatens the crust from above. Beneath, the under world, sweating, spawning, gathering from its own misery and the dregs of vice and luxury from above poison, and shaping from its own eager thousands of ambitious men,—yes, and after the boldest men of the class above, fangs, that it may become all that revolution is wont to be.

In such a society is born the conqueror, man of destiny, as he seems. In mountain, in desert or in slum, he may have his birth. Oftenest he is a military, yet sometimes a spiritual conqueror. In the west of Europe, two thousand years ago was born Julius Caesar; in the East, Jesus Christ. From mountain, wilderness and slum, each drew his followers. Caesar gathered the driftwood of the decaying Republic into an army, and upon this bridge crossed the Rubicon and established empire. Christ, too, gathered up the driftwood of decaying Rome and fashioned out of it that noble band which is the inspiration of every true Church in the Christian world. The classes you would disfranchise will become the makers of a political slum. They are materials for working out the glory or the ruin of the nation. Exclude them from the benefits, the privileges of other classes and you invite criminality: from outcast to outlaw is but one step. Include them, and who can measure the addition to the sum of human happiness? In the answer to the question: what forces are at work checking the too great increase of a people? what is the principle of selection? what sort are disappearing, what sort

preserved?—may be read the country's destiny.

Outside of the slave states, equal participation in the government by all citizens has been the foundation stone of the Republic. For a brief moment slavery was dead, and all men were freemen. But slavery is alive again, and if its growth is not resisted, will again be restored in all but name. The words of Calhoun deserve to be called a prophecy. "*Without political and social equality,*" he said, "*to change the condition of the African race would be but to change the form of slavery.*" The South accepts the alternative and resolves that, whatever the cost, political and social equality shall never be. The North must yield; *she* will not. While some are trusting to the finality of the 13th Amendment, others to industrial opportunity, others still to political without social equality, the South with bull-dog tenacity sticks to her resolution that there shall be none of these. But a year ago Carl Schurz declared: "There will be a movement either in the direction of reducing the Negro to a permanent condition of serfdom ... or a movement in the direction of recognizing him as a citizen in the true sense of the term. One or the other will prevail."

Are there reasons wanting why the nation should keep true to its foundation principles? Granting that the pathway to freedom is now harder to follow, should the forward movement be abandoned? How else than by manfully pressing on to a broad humanity, can the Republic, reconstructed with freedom as its corner-stone, remain? As the old cords fail to hold together the more distant and divided political and ethnic units of population, there must be woven new bonds of sympathy,—at least, of toleration, else some must be hung with chains. There are many, many reasons, rulers of the commonwealth, why the electorate should not be reduced:—

Above all, it is selfish. "The continual and diligent elevation of that lower mass which human society everywhere is constantly precipitating," to borrow the words of Cable, is incompatible with the *spirit* of restriction.

It is inequitable. For, again quoting from this author: "There is no safe protection but self-protection: poverty needs at least as much civil equipment, for self-protection as property needs: the right and liberty to acquire intelligence, virtue and wealth are just as precious as the right and liberty to maintain them, and need quite as much self-protection."

It is subversive of the republican basis of the state,—tending as it does to deposit more and more political power in the hands of fewer and fewer men. From "all up" to "some down" in the matter of political rights is a precipitous leap: but this step once taken, a gentle slope succeeds. From many to fewer members of the privileged class, the mind advances easily, with no intrusive principle to block the way. If a poll tax of one dollar can be made a condition of voting regardless of ability to pay it, then why not ten or twenty? If a poll tax, why

not a property tax, or wealth? If ability to interpret the Constitution, why not a college education?

As restriction is practiced in the South, it breeds contempt for the law:

And increasing unrest, for like a snowball it swells and gathers fresh resistance as it goes:

And dishonesty, for the disfranchising laws are not being lived up to. This is inherent, for the acquisition of the required knowledge or wealth would defeat the very object of the law. It puts a premium upon ignorance, for thereby the desired end of disfranchisement is furthered:—And upon thriftlessness, for the same reason;—And upon criminality and false charges of crime, since even this price must be paid by those determined to work their will.

What evils of universal suffrage are equal to these? Can an appeal be made in the name of minority rights by those who would themselves efface minorities?<sup>3</sup> When slaves were escaping, they demanded that the constitutional guarantees be fulfilled to the letter, clamored like Shylock for the pound of flesh which the law allowed. Now, too, they demand of the amendments as before of the clauses of the instrument reserving power to the states, that they be construed by the letter:—but with what a change of object,—no longer that the rights of minorities may be respected but that they may be utterly suppressed.

And if it be asserted that the superior must be allowed to rule, is superiority to be proved by a fiat of brute force? Is mere armed lawlessness the index of superior worth? When the nations agreed to fix limits to the cruelties of war, did they thereby place a penalty upon brains?

Finally, is it claimed that a free ballot signifies unlimited corruption? Read the answer in England's purification of her politics: I quote from Sir Thomas Erskine May:—

"Political morality may be elevated by extending liberties: but bribery has everywhere been the vice of growing wealth." "The first election of George the Third's reign was signalized by unusual excesses:" A seat in Parliament was for sale, like an estate and they bought it without hesitation or misgiving. "Nor were they regarded with much favor by the leaders of parties; for men who had bought their seats,—and paid dearly for them,—owed no allegiance to political patrons.

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<sup>3</sup>In two states, viz; Mississippi and South Carolina, the colored people are in the majority. In the other four disfranchising states, as well as all other Southern states, they are in the minority. In the group of states disfranchising the colored voters, viz; N. C., S. C., Va., Ala., Miss., and La., the

white population is 5,396,649 = 55 per cent.

colored " " 4,453,253 = 45 per cent.

total " " 9,849,902 = 100 per cent.

—BY THE 12TH CENSUS (1900.)

"They sought admission to Parliament, not so much with a view to a political career, as to serve mere personal ends, to forward commercial speculations, to extend their connections and to gratify their social aspirations. But their independence and ambition well fitted them for the service of the court.... They soon ranged themselves among the king's friends: and thus the court policy,—which was otherwise subversive of freedom became associated with parliamentary corruption. "When the return of members was left to a small but independent body of electors, their individual votes were secured by bribery: and where it rested with proprietors or corporations, the seat was purchased outright." Gatton e. g. was sold for £75,000. Of the 658 members of the House of Commons 487 were returned by nomination ... not more than one third of the House were the free choice of the limited bodies of electors then intrusted with the franchise.... Representatives holding their seats by a general system of corruption could scarcely fail to be themselves corrupt. What they had bought, they were but too ready to sell. And how glittering the prizes offered as the price of their services! Peerages, baronetcies, patronage and court favor for the rich—places, pensions and bribes for the needy. All that the government had to bestow they could command.... Another instrument of corruption was found in the raising of money for the public service. In March 1763, Lord Bute contracted a loan of three millions and a half; and having distributed shares among his friends,—the scrip immediately rose to a premium of 11 per cent.... Here the country sustained a loss of £385,000.... Stock jobbing became the fashion; and many members of Parliament were notoriously concerned in it. Again in 1781 ... a loan of £12,000,000 was contracted to defray the cost of the disastrous American war.... Its terms were so favorable that suddenly the scrip rose nearly 11 per cent. It was computed by Mr. Fox that a profit of £900,000 would be derived from the loan; and by others that half of the loan was subscribed for by members of the House of Commons. Lord Rockingham said. "The loan was made merely for the purpose of corrupting the Parliament to support a wicked, impolitic and ruinous war.

Now as to the electorate. "In Scotland in 1831, the total number of county voters did not exceed 2500; and the constituencies of the 66 boroughs amounted to 1440.... The county of Argyll, with a population of 100,000 had but 115 electors: Caithness with 36,000, contained 47 free holders. Edinburgh and Glasgow, the two first cities of Scotland, had each a constituency of 33 persons.... A great kingdom, with more than two millions of people,—intelligent, instructed, industrious and peaceable,—was virtually disfranchised.... According to a statement made by the Duke of Richmond in 1780, not more than 6,000 men returned a clear majority of the British House of Commons.... It was alleged in the petition of the Society of the Friends of the People (presented in 1793.) that 84 individuals absolutely returned 157 members to Parliament ... and that a majority of the House were

returned by 154 patrons....

"The glaring defects and vices of the representative system which have now been exposed,—the restricted and unequal franchise, the bribery of a limited electoral body, and the corruption of the representatives themselves,—formed the strongest arguments for Parliamentary reform.... The theory of an equal representation, had in the course of ages, been entirely subverted.... The Reform bill of 1832 supplied the cure. "It was," says May, "a measure, at once bold, comprehensive, moderate and constitutional. Popular: but not democratic:—it extended liberty, without hazarding revolution. In 1850 the representation of the country was reconstructed on a wider basis. Large classes had been admitted to the franchise: and the House of Commons represented more freely the interests and political sentiments of the people. The reformed Parliament, accordingly, has been more liberal and progressive in its policy than the Parliaments of old, more vigorous and active; more susceptible to the influence of public opinion: and more secure in the confidence of the people."

Here let us leave the history of English political corruption and the remedy which was found in a fairer representation of the people. In truth, we might well have left it sooner—if not altogether; for it is likely to be said that all of this is nothing to the purpose. The South has before her the practical problem of dealing with some millions of Negroes, to the solution of which, the experience of the English people furnishes no aid. Once more, then, we must consider the actual situation in this country to-day.

The Negro problem has been stated: What does justice to the Negro demand? Approaching our subject from this point of view, we may try to conclude:—

- 1st. What justice *does* demand; and
- 2nd. What the Negro must do to get it.

What, to begin with, is the answer of the South to the former? It is familiar to us all and would seem to be the nearly unanimous voice of the Southern people. The Negro, they say, is ignorant, lazy and vicious. Slavery, so far as its effect on the slave is concerned, was a beneficent institution, raising him from his previous savagery to a plane of humble usefulness. There, however, his incurable inferiority destines him forever to remain. This, the South insists she has settled in wisdom and kindness. The North, so runs her speech, misunderstanding the South and the Negro, unjustly forced on the Civil war, to compel her to change her domestic institutions. But that attempt, foredoomed to failure, has resulted in nothing more than the abolition of slavery, and a cruel loss of life and property, partly compensated for by the consequent revelation of her boundless resources of courage, loyalty and united resolve. Slavery, while a Southern institution, was not a bond of perfect union; but upon the platform of black inferiority

and white domination, every Southern man has his foot squarely planted. Her answer, therefore, to all criticism is to point with pride to the solid South.

How often are we called upon to see with pain and wonder that opinions, theories, even the mind itself is shaped by actions. Nature, aiming at preservation of life, is quick to heal all possible wounds, to reconcile warring impulses, to gloss and beautify deformities, and even to conceal dangers and snares. She gives men language to justify their misdeeds, teaches them how to embalm their errors in the secretion of their intellects, and even preserves the lying epitaphs which they inscribe over the remains of their vanity and pride. To change an opinion, it is necessary commonly to change a course of action, and until the life of the South changes, there seems no reasonable expectation that her opinions will change. Disfranchisement is but a symptom of the diseased Southern body politic, and who can tell whether the surgeon's knife will not reach the sources of life itself in seeking for a cure.

Sufficient then to herself,—wholly insufficient, false, and cruel to us, is this answer. If there were but these two parties to the cause, there would be no need to consider it. There remains, however, the still hesitating, ever-divided public opinion of the North—now the judge in the Freedmen's case. It is fitting that in her court, our replication should be boldly made. There we proclaim that the South is not doing justice to colored men.

The Negroes, say Southern men, are ignorant, lazy, vicious,—a perpetual menace to the rule and order of white men. Is this believable? Did God so make the world that after three thousand years of progressive white civilization;—in a country where there are sixty millions of white men, entrenched in their possession of armies and navies, wealth, power and endless resources of trained intellect;—that nine millions of colored people, rich in nothing but their sufferings, threaten to put the bottom on top? And if chance rules the world, and ignorance, laziness and vice are as likely to prevail as knowledge, industry and virtue, we may as well believe that ignorance and laziness and vice underlie white civilization and supremacy. No, we may confidently answer: this is not believable. Either these nine millions of colored people are not ignorant, lazy and vicious, or there are no grounds for the fear that they can for an hour put into danger the continuance of white domination, even in the blackest portion of the black South.

There is indeed proof obtainable that they are neither ignorant, lazy and vicious, nor a menace to rule and order. If they were near neighbors of the brutes would the elaborate defensive preparations be necessary which the South continues feverishly to make? Do the savages of Africa enact disfranchising clauses to keep apes and monkeys out of their political affairs? If ignorance so submerges the black man, why does not the Massachusetts principle of protecting the ballot

prevail in the South? Why is it necessary to require the voter to read, yes, and *interpret satisfactorily*, any clause in the state constitution?<sup>4</sup> If sloth curses the Negro with unfruitfulness, why require property to the assessed value of \$300? If the assessed value be two thirds of the real value, this means that nearly \$500; if one third, then nearly \$1000 is fixed as the minimum possession of the black voter. Does this precaution point to shiftlessness? If viciousness be indelibly stamped upon his nature, why not rely upon his disfranchisement for crime to eliminate the colored voters? Are the white juries not to be trusted to condemn the accused? Are the leased convicts not worth their cost of keeping? It has been more than once said that 90,000 of the 90,000 colored people in the District of Columbia are criminals. If the same proportion maintains elsewhere, what more is needed to accomplish the desired end?

Yet disfranchisement for ignorance, for thriftlessness, and vice all together are acknowledged to be insufficient, and resort must be had again to manipulation, juggling, and confessed dishonesty. Rev. Edgar Gardiner Murphy, Executive Secretary of the Southern Education Board, a distinguished witness, testifying against interest, says: "The instrument of discrimination has been found in the discretionary powers lodged in the board of registrars, by which worthy Negro men, fairly meeting every test of suffrage have been excluded from registration."(?) Where the fact is so freely admitted, proof seems wasted, yet abundant corroboration may easily be had<sup>5</sup>.

The fact as well as the extent of disfranchisement is revealed by the statistical summaries:—

### STATISTICAL SUMMARIES

1872, 1876, Va., N.C., S.C., Ala. (Tribune Almanac of 1896.)

1872, Louisiana (World Almanac.)

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<sup>4</sup>The requirement that the voter be able to read (or write) *and* interpret satisfactorily, in the Virginia registration requirement before Jan. 1, 1904, is an advance upon the earlier clauses, which left the alternative. I am not sure but that it reappears in the Maryland law not yet in operation. It is an interesting fact that it was *Senator Daniels of Virginia* who once called the attention of the Senate to the injustice done the South by Senator Spooner's assertion that voters were, without alternative, required to interpret passages from the Constitutions.

<sup>5</sup>The following clipping from the Baltimore American, I cannot refrain from reading:—

"In the recent election the democratic judges of election in many of the counties proved that they were unable even to count ballots properly marked, and when it came to putting a reasonable interpretation on the intention of a voter they were either wholly ignorant or wholly dishonest. It is perfectly safe to say that not one-third of the democratic judges who served at the Maryland election of last week could themselves give an intelligent interpretation of any section in the Constitution. Many of them do not even know what the Constitution is, and the man who suggested that they would take it to be a new kind of drink did not overshoot the mark. Fine professors of constitutional history these men would make!"

TABLE 1

ADULT MALE OR COLORED VOTING POPULATION, 1900, ESTIMATED AT 1 IN 4.3.		
Virginia	660,722 ÷ 4.3 =	46,122.
Nor. Car.	624,469 ÷ 4.3 =	127,114.
South Car.	782,321 ÷ 4.3 =	152,860.
Alabama	827,307 ÷ 4.3 =	181,471.
Mississippi	907,630 ÷ 4.3 =	197,936.
Louisiana	650,804 ÷ 4.3 =	147,348.
Total		4,453,251.

TABLE 2

CENSUS OF NEGROES BEFORE PASSAGE OF REVISED CONSTITUTIONS.			
Virginia	1900	115,865	(T.Al.)
Nor. Car.	"	133,081	"
South Car.	1892	13,384	"
Alabama	1900	55,512	Pres.
Mississippi	1888	30,096	
Louisiana	1888	30,701	

TABLE 3

CENSUS OF NEGROES AFTER PASSAGE OF REVISED CONSTITUTIONS.			
Virginia	1904	47,880	(W. Al.)
Nor. Car.	"	82,442	"
So. Car.	1900	3,579	Pres. (T.)
So. Car.	1904	2,554	Pres. (W. Al.)
Alabama	1904	22,472	(W. Al.)
Miss.	1900	5,753	Pres. (T. Al.)
Miss.	1904	3,189	Pres. (W. Al.)
Louisiana	1900	14,234	Pres. (T. Al.)
Louisiana	1904	5,205	Pres. (W. Al.)

TABLE 4

REGISTRATION OF COLORED VOTERS. (Newspaper estimate.)		
State	Literate	Registered
Virginia	equal 69,358	
North Carolina	59,625	"Less than 6,000"
South Carolina	69,242	
Alabama	73,474	"Hardly 2,500"
Mississippi	92,605	
Louisiana	57,086	"1,147"

TABLE 5

REPUBLICAN VOTE IN THE SIX STATES; VOTE AFTER DISFRANCHISEMENT SCORED. (World Almanac of 1904.)						
YEAR	VA.	NORTH CAR.	SOUTH CAR.	ALA.	MISS.	LA.
1872	93,468	94,783	72,290	90,272	82,175	59,975
1876	76,093	108,419	92,081	68,230	52,605	75,315
1880	83,639	115,874	58,071	56,178	34,854	38,016
1884	139,356	125,068	21,733	59,144	43,509	46,347
1888	150,438	134,784	13,736	57,197	30,096	30,701
1892	113,217	100,846	13,384	9,197	1,406	26,563
1900	115,865	133,081	3,579	55,512	5,753	14,234
1904	47,880	82,442	2,554	22,472	3,189	5,205

1892, Louisiana (Republican and Populists.)

1892, N.C.; 1900, 1904 (Due to Populists.)

Every fresh barrier erected in the South simply publishes to the world the weakness and inefficiency of those already raised. Each time dishonest methods are newly justified, and violent declarations, applauded, fresh evidence is given that these Southern men cannot on its merits win their case. The policy of white domination is stripped to unblushing nakedness, and confident of the fear of those who remained for two hundred years enslaved, the South narrows the issue to one of physical courage, inviting the Negro to wrest from her the power, which stands between him and justice, freedom, happiness. *It is not then in the ignorance, laziness, and vice of the Negro, that the white South trusts, for the continuance of her policy, but in his defencelessness.*

*To these Southern men, we can make but one reply. Unmistakably our courage is the issue.* But before considering how best to treat their sinister challenge, let us answer to the Republican party the question: What does justice to the Negro demand? Our reply is simple,—the fulfillment of the promise, which was treasured up in the hearts of four million men as they passed through the doors of slavery into the light of freedom;—the promise, which they have left to their children as their one priceless inheritance: "The guarantee by Congress of equal suffrage to all loyal men at the South was demanded by every consideration of

public safety, of gratitude and of justice, and must be maintained”—this was the promise of the Republican party in 1868. The freedman appeals to the creator of his political rights, as Tennyson to the Creator of his being:—

Thou wilt not leave us in the dust;  
 Thou madest man, he *knows* not why;  
 He thinks he was not made to die;  
 And Thou hast made him,—Thou art just.

Is it then fair to leave to us the vindication of the Reconstruction policy against men of the South, the North and even influential members of the party's own councils? Must we meet the charge that the Republican party was moved by revenge and folly, and prove that there was no other way to secure the foundation of freedom, which hundreds of thousands had died to win? Were those terrible years of death a mere night over the gaming table, with two haggard players, 'breaking even' at dawn? Is it left to us to rescue from their own sons the fame of the heroes of the war against slavery and restore the honorable inscriptions recorded on their tombs? When men talk of 'the greatest error of Reconstruction,' has the murder of Lincoln no claim to the place? Does not John Wilkes Booth better merit derisive canonizing than "Saint" John Brown? If it was irony for the "Reconstruction" legislatures to impose heavy taxes upon a people who had just emerged from a ruinous war and by bonded indebtedness extend the obligation to future generations, was it not also irony to punish and re-enslave by vagrancy laws the men who without an acre or a dollar were now *called* free?

And if it *was* hate, and revenge, and folly, which brought about the 'War Amendments,' can they be honorably withdrawn now? Is there no doctrine in law, which forbids one's renouncing an act after he has profited by it? But could the elections have been won and the policies maintained without the aid of the colored voter? Is there need of a statute of limitations to stop a political party from withdrawing the promises upon which it has encouraged millions of trusting people to build for forty years? Can it be honestly claimed that three-fourths of the States of the Union gave the ballot to the slave just out of the slave pen, with the implied condition that if he failed to prove himself able from the outset to resist temptation to childish indulgence and childish dishonesty, seduced as he was by the Northern men whom gratitude bade him trust and follow, he should lose it forever? Is this the Eden where we met our "fall?" A sober Anglo-Saxon definition of justice is given by Sidgwick: "Justice is realized (1) in the observance of law, and contracts, and definite understandings, and in the enforcement of such penalties for the violation of these as have been legally determined and announced; and (2) in the fulfilment of natural and normal expectations." That

the nation's laws will be upheld is the first requirement of justice.<sup>6</sup>

But yet again are we brought back to the ignorance, shiftlessness and criminality of the Negro. Their fathers, so say these wiser Northern sons, could not know of these evils, which to them have been revealed. No, they could not: had their lives been spared till now there had been no such evils to reveal. Under freedom's blaze ignorance was sucked up as the stagnant waters from a pool. With nearly the entire number of slaves illiterate, with no schools yet built, and only those large hearted teachers to face the enormous educational work whose ministrations to the needy were their only pay, more was done in the years just after the liberation of the slaves, to remove, their ignorance, than twenty-five thousand teachers in hundreds of schools have done in the last decade since.<sup>7</sup> Progress in earning and saving corresponded. And there was little increase of crime. A few years more of the sunlight and who doubts that these charges could never have been brought against us! And by whom are we charged with being criminal? Surely not by the South?

Is it credible that our millions lived under the benign influence of slavery, almost

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<sup>6</sup>Here is an instance of a President's devotion to existing laws: **With the Confederate government fully installed two weeks before,**—Lincoln said in his inaugural address, that "he had no purpose directly or indirectly to interfere with the institution of slavery." Is a manual needed in the United States to tell for what purposes and under what circumstances the law will be enforced?

<sup>7</sup>Per cent. of illiteracy.

Colored population in 1860 4,441,830.

Of this about 9 per cent. (488,070) was free—perhaps ½ of this was literate, i.e., about 5 per cent. of the whole.

Equal 95 per cent. or higher.

Colored population above 10 years in 1870 equal whole population, 4,880,009, less 28.7 per cent. equals under 10 leaving 3,464,806. Above 10, unable to write, 2,789,689.

Equal 80 per cent.

Colored population above 10 years in 1880 4,601,207. Above 10, unable to write, 3,220,878.

Equal 70 per cent.

Colored population above 10 years in 1890 5,328,972. Above 10, unable to write, 3,042,668.

Equal 57.1 per cent.

Colored population above 10 years in 1900 6,415,581. Above 10, unable to write, 2,853,194.

Equal 44.5 per cent.

without crime and continued even after the Emancipation Act to live peacefully and honestly:—and then, upon the passage of the 14th Amendment dropped suddenly from this moral zenith? Such sudden transformations are not natural: either slavery made the criminality of the African: or held it in a grip barely strong enough to prevent its issue in acts of violence: or, else this record of crime is false. One of these three explanations, we cannot choose but accept. The South at least, cannot admit the first, for slavery, they declared, even before God at His Altar, to be a benign institution; neither can they admit the second, for it, too, is inconsistent with the gentleness and benignity of slavery. But will they admit the third? "Nine tenths of the illicit gains," says James Bryce, speaking of Reconstruction, "went to the whites." Into like parts, Woodrow Wilson divides the responsibility and the discredit. "Negroes," he writes, constituted the majority of their electorates, but political power gave them no advantage of their own. Adventurers swarmed out of the North, to cozen, beguile and use them.... They gained the confidence of the Negroes, obtained for themselves the more lucrative offices, and lived upon the public treasury, public contracts and their easy control of affairs. For the Negroes there was nothing but occasional allotments of abandoned or forfeited land, the pay of petty offices, a per-diem allowance as members of the conventions, and the state legislatures, which their new masters made business for, or the wages of servants in the various offices of administration. Their ignorance and credulity made them easy dupes. A petty favor, a slender stipend, a trifling perquisite, a bit of poor land, a piece of money satisfied, or silenced them." This is the record of crime until the quickly passing day of freedom was ended. And if crime has increased since, so presently will ignorance increase and idleness unless their growth is checked by the restoration of freedom and justice and hope. Punishment will fail to stop the growth of idleness, vice and crime, as it has always failed, and if brutal punishments are next resorted to when milder ones have failed, one sickens at the prospect. Can Southern, abetted by Northern men strew the earth with the seeds of accursed slavery, bastardy and treason, secret conspiracy, callous, sneering fraud and the brutality of the mob, and think to stop by lynching the harvest of black duplicity, bred of fear, and black criminality, bred of misery and hate,—when they have gathered enough of the fruits to make an exhibit of Negro vice? The departure of lynching waits for two events: the breeding of the animal out the most wretched Negroes until they find greater satisfaction in something higher than sensuality and revenge; and the breeding of savage cruelty out of the white man until he can find pleasure in something more humane than torture by fire. As our counsellors bid us turn our attention to the dark side of our life, we bid them turn theirs from it. Your boasted civilization on its under side is but a progress from rape to adultery, from brute to devil. The savage honors the brute and tortures the devil; the civ-

ilized man tortures or crushes the brute and honors the devil. There is a pitcher plant of California, which is so described: Above a funnel shaped stem, it flaunts a crimson banner. The hood of the flower is transparent, so that the wary are caught even in their efforts to flee. From the mouth downwards the walls exude intoxicating sweets but multitudinous hairs, all pointing downward, lower the victim farther with every struggle. At its bottom a charnel heap, poisoning the air. Such plants flourish amidst civilization, and millions are their victims, who debauch their appetites until their intellects shrink to the size of their already shrunken consciences, and they are helpless to do anything but die. Liberty is perilous, a very 'valley of the shadow of death,' but the history of every nation which has lived and died teaches us that the danger of a false step is even greater near the end of the journey than at the beginning. Egypt, Assyria, Judea, Greece, Rome—the history of every nation is a light-house marking a reef in the harbor of humanity.

When Cain had killed Abel, he hid the body, and when God called, replied, "Am I my brother's keeper?" A chill foreboding comes over us with these Northern doubts of the wisdom of Reconstruction, and we cannot refrain from wondering if the North still retains the sense of duty of 61; if the North can do, can even will to do justice. And here let us turn from our first question: What does justice to the Negro demand? To the second: What can the Negro do to get justice? My end has been reached if there is felt more than before the need of answering the latter question.

Underlying the civil laws of the nation are certain high ideals. The fidelity of the nation to these is measured by the quality and the force of public opinion. Just as long therefore as the republic endures, the executive, legislative and judicial powers will obey the people's will. To this oracle the rulers have again appealed, and its answer has been an expression of renewed and increased confidence in the Republican party. The hour of the new administration has almost come, and the message may be now on its way to the country that the party pledges are to be redeemed. It may be that there are brighter days before us; but if, as in the past, we stand on no securer footing than two men wrestling on a steep and icy hill-side, where both roll over and over, and there is no chance between throwing and being thrown,—then it matters not whether we appeal to President, or Congress, or Supreme Court; to the 14th or 15th amendment, for the righting of our wrongs.

Congress is empowered to enforce the 14th and 15th amendments by appropriate legislation. Such legislation has been enacted and by one President, at least, enforced. But, now, it is held that it must be shown that the amendments are being violated, and this cannot be done until the Supreme Court fully interprets them. What a mockery it has all become! Insolently, sneeringly, the violators of

the plain intent of the law rise from their seats in Congress and demand how far they are going to be obliged to walk around these Amendments instead of kicking them aside. By law, or by force, colored men are being deprived of the right to hold office; by law or by force excluded from the jury; by law or by force sent into slavery for crimes of which they were convicted by these juries from which they are excluded; by law or by force, they are being disfranchised. The alternative is clear. Southern men do not evade it. The revised Constitutions stand boldly for disqualification by law. Southern Congressmen in debate as boldly proclaim the force. More cautiously Mr. Murphy testifies to the same effect, denying that "the abuse of discretionary power by the registrars of elections,—an abuse which the State permits, but which the State does not necessitate or prescribe, brings the State within reach of the penalties of the Constitution."

If not by law then the Constitution is nullified by force, and it becomes the duty of Congress to maintain it. But is Congress so near the performance of this obligation that we can profitably advise as to the method? Shall we say that candidates for Congress, by force or fraud elected, shall be refused their seats or that an election bill shall be passed, guaranteeing just laws; or that the penalty clause of the 14th Amendment shall be first enforced? At least, we had better wait until the House has reversed the policy outlined by its Committee on Elections, whose concluding words in the Dantzler-Lever case follow:—

"However desirable it may be for a legislative body to retain control of the decision as to the election and qualification of its members, it is quite certain that a legislative body is not the ideal body to pass judicially upon the constitutionality of the enactments of other bodies. We have in this country a proper forum for the decision of constitutional and other judicial questions. If any citizen of South Carolina who was entitled to vote under the constitution of that State in 1868 is now deprived by the provisions of the present constitution, he has the right to tender himself for registration and for voting, and in case his right is denied, to bring suit in a proper court for the purpose of enforcing his right or recovering damages for its denial.

"That suit can be carried by him, if necessary, to the Supreme Court of the United States. If the United States Supreme Court shall declare in such case that the "fundamental conditions" in the reconstruction acts were valid and constitutional and that the State constitutions are in violation of those acts, and hence invalid and unconstitutional every state will be compelled to immediately bow in submission to the decision. The decision of the Supreme Court would be binding and would be a positive declaration of the law of the land

which could not be denied or challenged.

”On the contrary, the decision of the House of Representatives upon this grave judicial question would not be considered as binding or effective in any case except the one acted upon or as a precedent for future action in the House itself.

”A majority of the Committee on Elections No. v doubt the propriety in any event of denying these Southern States representation in the House of Representatives pending a final settlement of the whole question in proper proceedings by the Supreme Court of the United States. Some of the members of the committee believe the ”fundamental conditions” set forth in the reconstruction acts to be valid and the constitutions and election laws of these States to be in conflict with such conditions, and hence to be invalid.

”Some of the members of the committee believe the ”fundamental conditions” set forth in the reconstruction acts to be invalid and the constitutions and election laws of the States claimed to be in conflict with such conditions to be valid. Some members of the committee have formed no opinion and express no belief upon the subject.

”Your Committee on Elections No. i therefore respectively recommend the adoption of the following resolution:

”*Resolved.* That Alexander D. Dantzler was not elected a member of the Fifty-eighth Congress from the Seventh Congressional district of South Carolina, and is not entitled to a seat therein.”

If not by force then the Constitution is nullified by law, and the Supreme Court must be looked to to maintain its vigor. Turning to the Supreme Court, what do we find to be its answer? In the following words, the Court concludes in the case of *Giles vs Teasley*, (the 4th Alabama case) decided Feb. 23d, 1904:—(from this decision Justice Harlan dissented.)

”It is apparent that the thing complained of, so far as it involves rights secured under the Federal Constitution, is the action of the State of Alabama in the adoption and enforcing of a constitution with the purpose of excluding from the exercise of the right of suffrage the Negro voters of the State, in violation of the Fifteenth Amendment to the Constitution of the United States. The great difficulty of reaching the political action of a State through remedies afforded in the courts, State or Federal, was suggested by this court in *Giles v. Harris, supra*.

”In reaching the conclusion that the present writs of error

must be dismissed the court is not unmindful of the gravity of the statements of the complainant charging violation of a constitutional amendment which is a part of the supreme law of the land; but the right of this court to review the decisions of the highest court of a State has long been well settled, and is circumscribed by the rules established by law. We are of opinion that plaintiffs in error have not brought the cases within the statute giving to this court the right of review.”

Far be it from me to imply that the Supreme Court will never decide the State constitutional clauses to be in violation of the national constitution; but as Von Holst has said: “The wit of man is not equal to the task in the shaping of political life of inventing forms which may not be employed as weapons against their own legitimate substance or contents.” The law, it might be added, without strong-siding conscience, is a mere magician’s handkerchief, and surely we can no longer think of ante-election promises embodied in the Republican party platform as binding obligations.

To those who ask: how long shall men wait for justice? I can only answer: Wait we must, but we need not idly wait. Our future is largely our own to make. Our radius of activity is slowly enlarging. Our daily question: what shall we do? settles into a demand for a defined policy. A bitter and perplexed,—What shall I do?—we are coming to find “worse than worst necessity.” Mere agitation, we know will not suffice. The country is not floating upon a rising tide of indignation at the unjustness of our treatment, as it was fifty years ago. And even if the doing of justice hung upon the casting of a die, I do not know why the throw should be the higher for violent shaking of the box. Some sort of planning of our future and united effort of at least a few to realize their plans is indispensable.

Resolved, therefore, that we strive for all happiness whatsoever, which may be fairly won. A good name and a level glance from those around us are essentials of happiness. If that is social equality, then, resolved that we strive for social equality. “This,” says Cable, “is a fool’s dream.” If so let us not shrink along with Christ, to be called fools. Once past slavery there is no insuperable barrier between us and freedom. Where is this line between civil and private rights? Is not the path from one to the other continuous? Workshops and offices, public conveyances, the theatre, hotels and restaurants, apartment-houses, the boarding table, barber-shops and bath rooms, the public school and college, the scientific society, the church, the alumni dinner, the church sociable—in city, town and village:—what are these but the way to the home?<sup>8</sup> There is an upward slope

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<sup>8</sup>That public conveyances come within the social sphere is asserted by Burgess: Reconstruction

from slavery, where a man is a thing, to freedom, where a man is a man. Millions, the better part of mankind, live and die on the hill-side; but all push on, as long as hope and manhood survive. That those above should acknowledge the brotherhood of those below and descend to help them is not to be generally expected; for that requires such love of their fellows as few possess. It is *foolish* then to *demand* the concession of social equality; but it is quite as *cowardly* to give up obtaining it, as long as an upward way exists. That the path is open is proved by the cry of those who hate us: Turn the hill-side into a precipice,—slavery is the only alternative to equality; build an unscalable wall of caste founded upon the color of the skin, the lowest white man by law and force raised higher than the highest black. Yes, the first of all our resolutions must be this one, to strive for social equality.

Not only, however, our indomitable instinct, but an urgent reason makes this our foremost consideration. National responsibilities, great civic or industrial responsibilities we are as yet cut off from. Through *private relations then we must educate ourselves to the realization, that only through the just performance of duties can true rights be won*. As we perform our trust over a few things will we perform our trust over many. Already we are reminded that our claims as individuals are mixed with those of the mass of our people. In vain we urge our greater culture or refinement, we are judged by the average of our race. In our own interest then, if not from a higher motive, we must turn to the lifting of our fellows. Our solidarity is already great: let us hold to it and increase it. Far from being a curse it is a people's greatest blessing. Yet we are losing it; our fellow sympathy and active helpfulness are not as great as were our fathers'. This is of crucial importance, since our best chance of winning friends among the women and poor of the other race is by justice to the women and poor of our own. And it is the women and the poor of the other race that we need most to win: for it were hard to say which is the greater obstacle to our progress, those left behind among the race ahead, or those left behind among our own. We must face sex inequality and class inequality among ourselves, *lest we bitterly denounce others' injustice when the same spirit of uncharitableness is deep buried in our own natures*.

Why is there such intense emphasis placed upon this issue of social equality? Largely because it arouses the jealousy of the white woman and the white poor. She, with her heart full of fear and distrust, is the first to shut the door upon the stranger. The next step after being a slave is wanting one; and she,

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and the Constitution pp. 150—

"During the winter and spring of 1867-8 the work of these conventions went on under the greatest extravagance and incompetence of every kind. (The constitutions which came from them provided for complete equality in civil rights, and in some cases, in advantages of a social character, such as equal privileges in public conveyances etc.)"

who has been for untold ages in forced servitude to man clings jealously to that social order which provides a place for another more to be pitied than she. She, it is who holds the keys of the home, and with them, of church, school, restaurant, theatre and car.

And with women are joined the poor. *They* bar our way to industrial employment; they stand guard over the polls. Why? Because they have learned uncharitableness in the school of bitter experience; because they, who have themselves never known aught but inequality, cannot even *think* of an even balance between men. *Of little avail, then, the wisdom and bounty of the few enlightened, when the serried ranks of the masses bar our upward way....* As each occasion of hardship or slight works upon them,—high prices made by monopoly, failure of strikes, the miseries of war, unequal laws, the scorn of the rich and well-born,—they turn and empty the full reservoir of their discontent, through the ever open vent of race hatred upon any that are weaker than they. And ever and again the crafty among the ruling class, discovering this means of averting danger to themselves make haste to profit by it. The greater our show of progress,—the more active the resentment of these classes of those above us becomes. Upon the removal of this antagonism much of the welfare of the Republic as well as our own depends, and I know of no other way to accomplish it than through fairness to the women and poor of our own race. Then those just ahead will see that they have no cause to fear that among us are to be found a new set of masters to make fresh multitudes of slaves. We cannot, then, afford to go on, confident that justice and wisdom will prevail; for the best among ourselves know how difficult it is to be just and wise. Let us who know the way to justice and can follow it, but strive to do so, and others, and yet others will be drawn into the current until its pressure becomes too great to resist.

Resolved, secondly, that we will continue to form party ties from fundamental principle and not momentary prospect of advantage. Last of all classes, can we afford to consider trimming our political sails to catch a chance breeze. Before it can even be granted that we hold the actual balance of power, this opportunism must have become our settled policy,—else we are *not* the most precarious body of voters. But suppose we were able to bargain for our vote, how wise would it be to do so? Can our voters afford to indulge in a prospect of profit to be obtained from their franchise? No, beyond question, our position is yet too insecure to warrant our driving a bargain with the Republican party, backed by the threatened withdrawal of our ballots. For not only would an artificial value, given to our vote because it was pivotal,—which, to repeat, it could only be if it were the most precarious,—double its venality, but the likelihood of our being put off with mere promises would be increased. Would not the prize be made just tempting enough to keep us vainly hoping? Would the rich with all their

abundance do more than "rub our chains with crumbs?" We have all to fight to keep up our faith in the Republican party and its fidelity to the pledges of forty years, but all our political funds are invested with it, and unless in pursuit of some better principle than gratitude the time has not yet come to withdraw them.

Resolved, thirdly, that we will contend for the political and social rights we crave, by modern rules of war, using every protective means we can, but scorning every dishonorable stratagem. Under the present stress a line of division is appearing between those among us who believe in open, and those who believe in secret methods of protection. In spite however of the merciless fire we are subjected to by the press, which makes any one a mark, who so much as strikes a match, we will resolutely oppose secret bodies, secret measures, secret policies. Nothing so quickly brings out all the cruelty of hatred as fear of secret danger. Let not the awful power and unrebuked successes of Ku Klux Klan or white caps mislead us. We must be free from the charge of having suggested *even* such means to those whom oppression has made desperate, but for whom imitation would spell merciless revenge without even the check of Northern censure. And another evil scarce less results: a premium is hereby put upon treachery. Temptation is already too great to those among us who might be induced to betray.

On the other hand, no reasonable precaution should be left untaken. Our position is hardly yet so perilous that we need seek the mountains, deserts or swamps for safety. Other protective measures however should be sought. First among these, is organization, which, however is only worthful when there is real community of interest and feeling. These it will be hard to secure without neighborhood and common business dealings. By such means too, we shall better come under the protection of the common law, with its broad mantle spread over all contractual relations. It is hard to get justice wholesale, harder still when one cannot offer the market price. The earlier resolutions leading up to the 15th Amendment forbade restriction of the franchise on account of creed, ignorance or poverty. These additions were laid aside before the passage of the bill. The Civil Rights bill in its earlier stages required equality in the public schools and the jury service. These failed first. The best help—this cannot be said too often—is self-help. Self-dependence will not only strengthen our own defenses, but it has a value yet higher—it strengthens the Republic. Appealing as we now do to central authority, embodied in the Republican party, we help unconsciously to build up centralized power. This disadvantage of our faithful adherence to that party must be confessed. By striving to obtain land and independent businesses, and towards municipal political privileges, we will increase our responsibilities, our interest in good government and our stake in the democracy of America,—and by so doing become sturdier defenders of the Republic. To the man *who works*, the man who *wants and consumes*, in short to every man belong the common

benefits and privileges due to his common humanity; but if we mean to secure these heights which in the United States only have yet been won, we must win firm ground to stand on. The law is not grounded in such principles, he who would fight for the rights of men, must be *more* than a mere man to get standing in her courts.

By such protective measures we may so shield ourselves from attack, that if any should wish to destroy us they must first destroy what they have themselves built. This means much: but who so thoughtless as to suppose that ownership of land and home, or business interests or even municipal or other corporate franchises,—with the knowledge needed to maintain them—are of themselves enough! Who so weak as to trust in mere segregation, that if we only stay on our side of a high board fence we will be let alone! What of Africa? What of China? What so absurd as unguarded wealth? The day of high board fences is passing. While segregation will supply certain opportunities, which we may profit by, if we use them as stepping-stones to higher things, it can only do so, if there is courage to defend what has been won. Without courage no man can hope to keep anything another covets. *Somewhere in the foreground of all our policies,—if we are true men and women,—must be the determination to part with them only at a reasonable price.* Let common sense, and scorn of dishonesty, or pretence, guide us in moulding them, but then let us adhere to them. Let all be done in God's name, as does the man who builds an altar, gathers wood, then cleanses himself from all impurity before he approaches it to do sacrifice. When these steps have been taken, we may appeal to the God of justice, and with the confidence of him who dares ask, and receive an answering sign from Heaven, strike for the right.

## The Negro Vote in the States Whose Constitutions Have Not Been Specifically Revised—*JOHN HOPE*

So much has been said about almost every phase of the so-called "Race Problem,"

so many good things and so many bad things, that we are apt to believe all has been said that can be said and to wish that if there is anything that has not yet been said, it may remain unsaid. Certainly little that is new can be said on the franchise until we have some new developments. You will get nothing new from me. I am to speak on a current topic that is as well known to you as to me. Yet it is sometimes helpful to hear your own thoughts expressed by some one else. With this possibility of doing a service, I apologize for having consented to write on the subject of "Negro Suffrage in the States whose Constitutions have not been Specifically Revised." But even here I feel unable to speak about all these States and prefer to confine myself to my own state, for of this I may speak with the assurance that comes from contact.

The State of Georgia probably shows as little revulsion and reversion of sentiment and law as any distinctly Southern state, except perhaps Texas, since the Reconstruction period. Republican rule was short lived and, while it remained, was less aggressive and revolutionary than in other states. The population has been fairly evenly divided between the two races with a majority always on the white side. The agrarian class has been less powerful than in some Southern states and the ignorance of both races has been rather mitigated and softened by centres of information, towns and cities, less remotely distant from one another than is the case in several other Southern states, railroads and factories exerting a great influence in this respect. So Georgia may be taken as a type of those states in which the best things have happened or rather the worst things have not happened for Colored people.

Of course, in Reconstruction times Georgia Democrats did act harshly, but my remarks rather have to do with the period after that. For instance, more than thirty Colored Republicans were expelled from the Georgia legislature and the state had to have a sort of second reconstruction before it was finally recognized by the United States Government.

Georgia had only one Republican governor, and sent to the National House of Representatives at least one Colored Representative. But for many years, even this has been a thing of the past. White men have held all offices, occasionally having the monotony of complexion broken by a Colored representative from Camden, McIntosh or Liberty county in the state legislature.

The passing of the Republican party in the state as an aggressive elective organization has been due to several causes, but so hidden and studied have two of them been, so free from shotguns, leaving out, of course, the Ku Klux and Patrollers of the '60's and '70's, that you cannot lay your hands on these causes so easily as in some other states where the change has been revolutionary and sudden rather than gradual. You will notice that I say Republican party, for when the Colored vote was most effective it was organized by the Republican party.

One of the causes of this passing of the Republican vote was intimidation at the polls on election day, threats and intimidation before the day in communities of Colored people, and official rascality in the counting of ballots actually cast. Probably, as a result of these a third cause came—the indifference of the state and municipal Republican organizations to making a canvass for the state and city officers.

Then the Colored vote began to divide on Democratic candidates and was exceedingly effective, holding the balance of power, as it did, in choosing white Democratic governors, congressmen, state legislators, city and county officers. This went well for awhile, but white office-seekers soon began to fear this Colored balance of power. They wanted their certainty of a majority of the white vote to guarantee their office; so the Georgia legislature passed a law making it legal to have primaries to nominate candidates for office and also throwing such safeguards about the management of primaries as aimed to secure lawful practices on these occasions. Here was a perfectly harmless movement, apparently harmless. The next step was made by the Democratic party assembled in State Convention when it decided that candidates for state and county officers on the Democratic ticket should be nominated by a primary, but leaving the conduct of the primary to the community in which it might be held, provided this should not run counter to the primary law as passed by the State. Here too, was a perfectly fair and harmless provision, apparently fair and apparently harmless. But the way was then open for the primary to take on a local coloring. In communities where the colored vote was an embarrassment, the Democratic party there decided to have a *white* primary. In one of these communities a colored man that I know went to vote at the primary. He was a "good Negro" a very good Negro, his goodness dating back to the time when the "Yankees" were about to confiscate his master's cotton and he claimed the cotton as his. Even this transaction did not enlarge his cranium, and after saving his master thousands of dollars and gradually amassing a fortune for himself, he still knew how to approach his former master from the kitchen door. Well, this good Negro went to cast his ballot. The courteous man at the polls said: "George, this is a Democratic primary." "Yes," said George, "but I am a Democrat." "Well," said the courteous gentleman, "but George, this is a *white* primary." This colored man found himself without a Republican for whom he might vote, and was informed that the Democratic party was a close corporation so far as the Colored man was concerned. This is quite interesting when I tell you that white Republicans, avowedly Republicans, have not only been permitted but even requested to participate in the primaries of the Democratic and Populist parties.

The reason for the elasticity of the primary is quite evident, that is, why Colored people are allowed to take part in the primary in one community and

not in another, or why they are allowed at one time to vote and at another time in that same community are not allowed to vote. The purpose is to have the Colored voters as a harmless balance of power between the Democrats and any other party that may show strength, that is, to have the Colored man to settle disputes among white people without becoming obstreperous because of this valuable assistance. There were some communities where the Populists used the Colored voter to defeat Democrats and others where the Democrats used this vote to defeat Populists. Of the State as a whole, it may be said that Populism was defeated by the Colored voters espousing the Democratic side. And be it said to the common sense and good reason of many Democrats that this fact is acknowledged and to an extent appreciated by the party now in power—to the extent at least of staving off any further disfranchisement measures thus far.

But the most flagrant high-handedness and palpable confession of purpose on the part of white people with reference to our citizenship rights is to be found in a state legislative enactment that looks to the municipal management of two Georgia towns where the Colored voters are so overwhelmingly in the majority that ordinary subterfuges would not fulfill the requirement. Darien and St. Mary's are two coast towns with a large Colored population. The mayor and aldermen are not elected by the voters in these towns; but, instead, these towns enjoy the unique distinction of being managed by officials appointed by the governor of the State. What is more simple; what more high-handed; what more un-Democratic and subversive of national principles of government than this?

Now let us ask the question: Can the Colored man cast his ballot in Georgia?

In the first place, any party of any race may hold a primary.

Second, any man of any party or race may vote in the *general* election for any candidate he may wish.

Let us ask next, whether these ballots will be counted? That depends entirely upon whether the need is to count them or destroy them; or furthermore, to count them as ballots for some one for whom they were not cast. The election boards and the management at the polls are not bipartisan and the party in power may do what it chooses.

We raise the question now whether it is for our best interest economically to exercise the franchise? Do men vote to help their economic interests? Are not taxation and other fiscal policies settled by the ballot? May not property be enhanced or lessened in value by voters? Colored people have some real estate and securities, but their practical capital is their labor; yet they have not the least power, the real power, of influencing legislation in reference to a single labor measure that may arise, although in Georgia nearly half the population is colored and in the laboring class the colored people are in the majority. Now

suppose, as white union labor in the South grows stronger, it should influence such legislation as would eliminate colored labor where it came into competition with white labor, the colored laborer would be politically powerless to resist this legislation. Now is this a mere idle dream when we reflect that within the past few months a Texas legislator introduced a bill to confine Colored labor to the farm whenever it was found in city and town communities to be competing with white labor.

Then there is another side that really has its argument, effective, though perhaps not very logical. The fact that we are, as a people, laborers and not capitalists, makes us, as any other people similarly placed would be, under obligation to the capitalist who, in our case, are white. The point is made that to enter politics against the wishes of this people would raise such antagonism as to lower our earning power. Hence we are told to keep out of politics until we get a better money basis. Here we stand between two difficulties, staying out of politics might jeopard our earning and entering politics might jeopard our earnings. Many honest and thoughtful white and colored men stand on both sides of this question.

Now, is it educationally best for us to vote? This question requires some amplifying. Do we mean what educational value comes from this training in citizenship? If so, then certainly the value is great. There was a time when we knew conditions in our state and town, but so little influence does a Colored man have in politics now that I do not even know the name of the alderman in my ward, although I am a registered voter, have paid my poll tax and voted for President Roosevelt. I know of nothing more benumbing to us as citizens than this deprivation. Men who are philosophic may consider matters that are not of material concern, but the average person does not load his mind and spend his time with things that, for one reason or another, have no concern for him. Any discussion as to the fitness and honesty of municipal and state candidates hardly touches me, as I know I cannot lift a finger to promote the interests of any one of them. I have no voice.

There is another position from which this question may be viewed and that is whether the advantages from schools would be lessened or increased from participation in politics. It is quite evident that without the ballot any people are suppliant and must beg rather than make a manly demand. But, assuming that the lack of the ballot has become a condition with us, would a demand or threat about our ballot result in a counter threat that if we forced the issue, we should not only be denied our ballot, but that for our arrogance the appropriation for Colored public schools would be cut down and we should receive only what we paid in as our share of the school tax? This too, is no dream; but has actually been considered by colored men as a possible reason for not causing such antagonism

as would arise from Colored men endeavoring to enter aggressively into politics again.

What now about fears for disfranchisement such as has been compassed by the revised constitutions in many Southern states? Some one may say that there is no difference between constitutional disfranchisement and that *quasi* disfranchisement effective for all practical purposes such as we have spoken of as now obtaining in Georgia. There is a tremendous difference. If a wave of civic righteousness should sweep over those states still without constitutional disfranchisement, the primaries would be a very slight embarrassment to those willing to do right by all races alike; while in the states possessing constitutional disfranchisement, the reactionaries would have such means of stopping fair play and honest elections free for all, that they could easily check the purpose of the fair-minded citizens for a long while.

Now, do we really have to fear disfranchisement? I say disfranchisement must at all times be feared and be guarded against as far as it lies within our power in an honorable and manly way to hold it off. Just at the time North Carolina and Maryland seemed most secure to us we found ourselves deprived of our rights; and it may be safely stated that whenever on a specific occasion the Colored vote exerts the balance of power over any considerable area, there disfranchisement may be feared. We need to fear disfranchisement because it is founded upon the spirit of injustice and that same spirit fosters it. So palpable is this, that the South bewails the fact. Governor Warfield in speaking about the repeal of the Fifteenth amendment says: "The privilege to vote could then be bestowed without respect to the expedient of unwise constitutional amendments that strain the conscience of our best people and arouse criticism." Yet the repeal of the Fifteenth amendment would not relieve those apostles of disfranchisement of the odium of violating the spirit of truly American democracy and of setting at naught that mighty decision on human rights that was rendered by the bloody arbitrament of war—Disfranchisement of whatever sort, if designed to embarrass a citizen because of his race, must always "strain the conscience of our best people."

Does Georgia show any signs of the disfranchising spirit? We fear it does. The State Legislature now expects some measure of this sort at each session, and in recent years has not been disappointed, although good sense has thus far triumphed. Then again men in high places, congressmen and at least one of our U. S. Senators from Georgia have begun to say some things that may easily be construed as an advocacy of disfranchisement. It occurs to me that the marked difference between the condition in my boyhood and to-day is this: then the opposition was to Republicans, to-day it is to Negroes. It is not a party line, but a race line.

Now the white primary has not done all that was claimed for it. In the

first place it has not purified elections. Far from doing away with the purchase and sale of votes, it has, by lowering the supply, relatively increased the demand and brought up the price to a really fancy figure. In the second place it has failed to do that for which it was ostensibly introduced especially to do, namely; to put into office those men most eminently fitted by ability and character to administer the office to which they might be chosen. On the contrary, primary elections have been questioned on the ground of fraud; and the mayor of one very prominent Georgia city has been arrested for drunkenness. Then why is the primary kept? Well, the "fixers" for instance, can more easily fix things. With the Colored man's vote eliminated, the work becomes simplified and even though the amount of money spent illegally may now be more than the total amount in the days when colored as well as white were in the market yet those interested in "fixing" elections can now work with more assurance; and promises may more easily be carried out in the matter of delivering the goods.

For instance, I know of a city election where the voters in one ward were so evenly divided and the candidates had calculated their strength so accurately, that one candidate felt safe in buying three white votes at the rate of one hundred ten dollars. Large corporations may now operate easily in state and city; and some of the most flagrant cases of political jobbery that have been charged against Reconstruction rule are easily equalled by the bare-faced graft and bribery by which large business interests win their way through the assistance of white voters.

What are the possibilities of white aspirants bolting the primary? It is my impression that they are fewer than they were twenty years ago. Judge Gartrell once ran independently against Alexander Stephens for Governor and Judge Emory Speer in his younger days ran on an independent ticket; but such a step on the part of a candidate means outlawry for life. Speer was read into the Republican party, Thomas Watson into the Populist; and since the exile of such giants, the small fry find it easy to be good and not to lift their heads in rebellion, no matter what rascality has compassed their defeat at the Primary. No. It is my impression that the primary is more firmly established to-day than when it was first started. White unity has become white slavery; and while the yoke galls, the white aspirant prefers the yoke to extermination.

But, suppose there should be a general Democratic "rough house" and the colored vote should be called in to quell the disturbance, the Colored voter would have no guarantee that such would mean his return to political standing. On the contrary, it might, as in several states, cause the passage of constitutional disfranchisement that would make his last state worse than the former. Our status is truly unenviable, and the ground on which we stand is exceedingly uncertain.

I desire now to treat more fully what has already been touched upon: Why

do the Republicans not nominate candidates for state, county and city offices and make a general canvass? There are two classes of Colored men, those who think the party should and those who think it should not. Unfortunately each of these classes makes severe charges against the other with reference to this matter. I much prefer to accept the explanations of both as honest. The following are at least some of the reasons for not making a canvass: first, it is difficult to get desirable men to accept the nomination; second, it would be still more difficult to secure sufficient funds to pay the ordinary and perfectly legitimate expenses of a campaign; third, the injustice of the party in power would make a fair election an impossibility. Hence a candidate would be doomed to defeat from the moment of his nomination and the fact that he and the party would know this, would make the campaign lifeless, futile and perfunctory. Fourth, the prominence of Colored people in politics and the extra trouble to which they would put the ascendant party might result in still further curtailment of the few rights still left to us.

To all of this the side that clamors or appears to clamor for a ticket says: You assume too much, you see ghosts. Yet supposing the worst, it is far better to keep Colored voters organized for several reasons: first, because the organization gives a valuable training in citizenship that cannot be gained by standing aloof and waiting for better things; second, because if an opening should come suddenly, the Colored people would be better able to decide quickly and intelligently where to throw their strength solidly on one side or another for their own best interests and the interests of the government; thirdly, because a show of opposition to existing political injustice and repression would relieve us of the charge of indifference to our condition and would strengthen the courage of those who might champion our cause—our efficient, powerful champions, who have grown doubtful about our real manhood. I believe in the honesty of both these classes of colored men; and it is exceedingly difficult for a man, living in the midst of these conditions and knowing the temperament, attitude and unlimited power of the white people, to say which one of these two courses is the more rational and helpful to pursue.

What have the Colored people lost through disfranchisement? They have lost the privilege of influencing legislation, since the legislator feels under no obligation to them. The "Jim Crow" car law, the separate tax bill and almost any other bill may be passed so far as pressure from Colored people is concerned. A very clear case is the public library in Atlanta which is supported by the taxes of all citizens, yet not a single Colored person may enter that library to read or borrow a book. Some months ago Mr. Carnegie offered the city ten thousand dollars for a library for the Colored people on the condition that the city furnish a lot and agree to appropriate one thousand dollars *per annum* for the maintenance of the library. The whole matter has been tabled and the Colored people have no

redress, since their mayor and aldermen were elected without the Colored vote. Do you suppose the city of Atlanta would have refused so paltry a favor, if its city council were dependent upon our vote?

Not only have we lost influence among the law makers but among those who interpret the law and administer justice. Neither judge nor jury has to consult the Colored man's wish. This independence of us makes the court a place of injustice as frequently as of justice, and policemen may be cruel with impunity.

Then too, the chain-gang with its revolting influences on men and women, boys and girls; the lack of Negro reformatories in some places where they do exist for white boys find much of their meaning in the fact that the Colored voter cannot make sentiment and bring things to pass through the ballot. We have had the "Jim Crow" law forced upon us, our public schools have become poorer in equipment and teaching force, and the salary of teachers has been lowered.

In a word, the loss of the franchise has changed our status to such a degree that we no longer demand, but beg and supplicate even for those fundamental needs, without which education and general improvement would be very doubtful.

Now are there some things to be effected that are regarded as of more vital interest to Colored people at present than the ballot? In the face of what has already been said, this seems almost an unnecessary question, since the ballot is no abstract thing, no merely academic theory, but a vital agent in the promotion of improvement and happiness. Yet as obvious as all this seems, when people have already lost the ballot they may ask this question: Are there some things to be effected that are of more vital interest to Colored people at present than the ballot?

I heard a sweet-spirited Colored man say at the conclusion of his remarks one day—he was a college president and is now in Heaven away from this turmoil—well I heard him say: "I have come to the conclusion that all we can do in this country is to take what the white man gives us." An eminent Colored preacher said recently in my hearing: "You can't drive these white folks, you must knuckle to them and you can get anything you want." Within the last two months an interesting white southern clergyman in his exhortation to Colored people to be good Negroes, told them not to get mad about "Jim Crow" cars and to be slow to urge their rights. Said he: "You Colored people are undertaking a heavy task when you attempt to reform the Anglo-Saxon." Now our present needs are numerous and vital, many growing out of the curtailment of privileges, a condition made possible through our lack of the ballot. Many Colored men believe that we can get these needs supplied most quickly and surely by begging and not resorting to a futile ballot; many, moreover, think that the voting would retard the granting of these much needed privileges. On the other hand, others

say our condition grows steadily worse and our only redress, our only hope, is in the ballot.

Now what do I believe about all this? I believe that we ought to vote, and I vote on every public question when the privilege is accorded me. I believe that our leaders ought to give us the opportunity to vote and let us stand forth as men, whether successful or not, willing to do all within our power to be full-fledged citizens. Certainly our attitude ought never to allow the white people to say: the Negro cares nothing for the franchise and does not exercise it when he does have the opportunity. What are we waiting for? Not more education, I hope. And here I must remind you that one thing is much over-talked: the forwardness of the Colored child and the backwardness of the white child in the matter of getting an education. Colored children are not being fitted as are white for their responsibilities. A real intellectual awakening is going on among the whites of the South—more and better school houses, better teachers and longer school terms; and the white children are learning with avidity. The Colored children are getting poor school houses, poorer teachers, more poorly paid teachers and shorter school terms; and we cannot change this disparity by begging the state and city. Unless we force better things for ourselves by the ballot or go into our own pockets, the next generation of colored voters will be relatively less prepared for the educational qualification in comparison with the white voter than the Colored voters of to-day. Oh! you say: "Pessimist, looking on the dark side." Away with that contemptible sentimentality and aversion to ugly facts that make some of my people call a man a pessimist every time he lifts a warning voice. I know the white country school house and the Colored country school house. There is a tremendous difference.

Now I believe in education, but I also believe in manhood; and any education bought at the price of manhood is worthless and a mill-stone about the neck. I believe in the ballot as a developer of manhood and as it procures the right of men. I believe in the ballot in spite of threats of disfranchisement, if we use this ballot. I see no difference in purpose between the states that have outrightly disfranchised us and those states that do it stealthily or by indirection.

I believe that the purpose of all is the same: a hatred for Colored people and a determination to have white supremacy at any cost of life and honor. I do not think Northern sentiment is a deterring force, though I think Northern sentiment *could* become a deterring force to disfranchisement. In the face of all this, why *delay* voting in the hope of better things; better *welcome* disfranchisement as *men* than *suffer* from it as *cowards*.

# The Potentiality of the Negro Vote, North and West—*JOHN L. LOVE*

The potential voting strength of the Negro population in the United States is, according to the last census, three times as great as was that of the white population in 1775 when the Declaration of Independence published to the world the modern, though sound, practical and eminently safe political creed that governments derive their just powers from the consent of the governed. The number of Negro males of voting age is approximately three millions, a number equal to the entire white population at the beginning of the war for Independence. The total Negro population in the United States in 1900 was three times larger than was the total white population which battled against King George and the British Parliament for the purpose of securing a voice in the choice of those who levy taxes and enact the laws whose weight and obligation fall equally upon the whole body of citizens.

In the North Atlantic, the North Central, and the Western census divisions of the United States, the potential voting strength of the Negroes is more than a quarter million. It is larger than was the combined prohibition and socialist vote in 1900 and exceeds by nearly a hundred thousand the total combined vote cast for the present governors of the four states of Mississippi, South Carolina, Louisiana and Alabama. In many sections of the North and West the Negro population is sparse and scattering, varying all the way from one in Scott County in Indiana to 63,000 in Philadelphia. Yet in many localities where there is almost an even balance of the two chief parties, the Negro vote is competent to decide the results of election. In the states of Delaware, Indiana, Ohio, Connecticut, New Jersey, and several districts in New York, Massachusetts, and Illinois, a united, coherent Negro vote may frequently determine both local and national elections. This is shown by the returns in 1902 for Congressional election in four districts in Indiana, two in New Jersey, four in Ohio, and two in Massachusetts

and Connecticut, where the Negro vote was of sufficient size to have thrown the election to either party. In state and local elections where party fealty is not always so strong as in national elections, owing to dissatisfaction with both men and measures, the potentiality of the Negro vote can be made very real and effective as well as respectable. The municipal wards and legislative districts in the large commercial and manufacturing centers of the North and West furnish undoubted opportunities for the Negro vote to make itself felt and to win regard and respect as far away as the United States Senate.

The foregoing facts and considerations suggest interesting possibilities and, in view of the conditions affecting the political, civil, and economic well being of the people of color in the United States, they create a demand and an obligation with reference to the use of which the Negro voter should make of his right of the franchise.

The chief tenet of modern political philosophy is that the participation of the people in the government is the only way by which their liberties can be guaranteed and their economic and industrial happiness safeguarded. Out of this conviction which has taken hold of men almost everywhere has resulted in the universal movement towards democracy. The democratic triumph which has marked the past hundred years and has been accompanied by marvelous achievements of human endeavor—achievements which could not have been accomplished except under conditions of freedom—has not been won without stupendous struggle and temporary defeats and disappointments. At every forward step, the movement has encountered unrelenting and seemingly irresistible opposition of privilege. Even here in the United States where, barring absurd contradictions, the spirit of democracy began so conspicuously to assert itself under the fostering genius of Jefferson, skillful and powerful resistance has been constant and implacable. Aristocratic privilege, entrenched in power, has grudgingly given way to the demands of manhood rights, and manhood suffrage, and even to-day, in the attempt to rehabilitate itself, it is bold enough to make the ridiculous assertion that the right of suffrage, even in a republican form of government, is not a natural and inherent right of citizenship, but merely a privilege to be granted or withheld at pleasure by a select few for whose assumed authority no power on earth or in heaven is responsible.

Whatever opinions may be entertained contrary to the doctrine and increasing practice of government by the consent of the governed, the fact is undeniable that as man has gained and exercised the right of participation in government, special privilege for the few has had to give way to the condition of equal opportunity for all. Abuses have been swept away and the door of opportunity has been opened for all. Thus has the ballot proven to be man's sure and effective weapon of defense against tyranny and proscriptive government.

All classes of our varied population, with possibly one exception, have recognized this truth and have acted in accordance with it. German, Irish, Jew; artisan, farmer and merchant—all have found the ballot a remedy for social, economic, and political ills that have had their origin in unjust laws or the partial administration of law. All have used it with wonderful effect towards the betterment of their condition. Grievances of one group have been allied with those of another group; industrial discontent growing out of capitalistic wrongs, political distempers due to governmental abuses or the enforcement of discriminatory laws; the deep seated consciousness of ethnic injustice in the industrial or political scheme—all have combined and arrayed themselves for redress which every branch of the political machinery has in the end endeavored to grant. The demands of the Slavonic yeomanry of the Northwest that a check be placed upon railroad combinations are not less effective in securing compliance than those of the merchants and shippers of our commercial centers that just and equal rates of transportation shall be enforced. The underground toilers of the mining regions of Pennsylvania and Illinois know that their grievances will receive the same respectful attention and consideration as the mandates of the coal barons, and they systematically scrutinize the attitude and the actions of public servants and hold them to a strict performance of promise and duty in so far as their rights and interests are concerned. Thus it is that in the United States as in all representative governments the ballot is the surest means of securing a "square deal," and it is incumbent upon the three hundred thousand Negro voters of the north and west to recognize its value and to make the same use of it as is made by all other aggrieved elements of the body politic.

A catalogue of the wrongs and injuries suffered by the Negro citizens of the United States, first on account of discriminatory and proscriptive legislation; secondly, on account of the failure to enforce the laws designed to uphold and protect their citizenship; and thirdly, on account of the most palpable and outrageous violation of the sacred rights of life, liberty and property, make the "long train of abuses and usurpations" committed, according to the Declaration of Independence, by the King of Great Britain against his colonies in America appear as the gentle chastisements of a beneficent ruler. Of all the complex elements of American citizenship, the Negro is the solitary victim of legal, social, industrial, and political discrimination. He alone is singled out by the law for disparagement which fact encourages and enforces the multitude of civil and industrial discriminations and injuries that tend to deprive him of the respectability due not only to a citizen but to man. To the tax levy, to the obligation to bear arms for the common defense as well as to all other mandates of the government, he is equally amenable with other citizens; but he is excepted from a full share of the benefits of citizenship. In all stations of society and in all departments of gov-

ernment, his protests fall upon deaf or indifferent ears, and the very sufferings and wrongs which he suffers are frequently made the text for sermonizings on his short-comings. If the homilies published from the pulpits, in the press, and even sometimes from the higher branches of the government are to be believed, the Negro is the most unsaintly citizen of the republic, in spite of the fact that he seldom commits "the robust crimes of the whites" or has the chance to defraud the government, to wreck financial institutions, or rob widows and orphans.

The burden of these outrages lies heavily upon the hearts and minds of the black men of America, yet the remedy, if they could but realize it, lies largely within their power. Throughout the republic, every man identified with the Negro race, though he may not be personally or locally subjected directly to the humiliations and wrongs which oppress and degrade the great mass of his kind, feels their bitter sting and resents them. In public assemblies, upon the public highways and common carriers, in the drawing room and around the secrecy of the fireside, the fact of injustice is the one inevitable and irrepressible theme of conversation and reflection; and the perennial and ever present question in the minds of all, whether of low or high degree, is *By what means can the situation be altered?* Men of different opinions are endeavoring more or less honestly to answer the question, but one of the surest and quickest means is at the command of the three hundred thousand Negro voters of the north and west, who have it in their power by an intelligent, united, and courageous exercise of their high privilege and right to demand the same respect and consideration for their interest and well being as any other class of men who register their wills at the ballot-box.

Thaddeus Stevens once said that control of republics depends upon numbers and not upon the quality of the citizens. In the last analysis this is true, but in all governments by parties the smaller number is often more important than the larger. The strength of the Negro vote in the North and West in times of party crises consists not so much in the number of that vote as in the use which is made of it. In thirty northern and western cities, it can very effectively contribute to the improvement of existing conditions. It is wonderfully powerful, if intelligently directed, in the cities of Boston, Baltimore, Chicago, Cincinnati, Cleveland, Columbus, Philadelphia, Pittsburg and New York.

The effectiveness of this vote depends more upon the use which is made of it in local and state elections than in national elections. The bonds which unite the interests of the local, state and national officials and politicians are very real and subtle—the weakest point being always the local politician. His election and success often turns upon less than a score of votes and consequently he is not inclined to disdain a single voter. His interests are inseparably connected with the interests and ambitions of the men who occupy luxurious berths in Congress

and in the national or state government. In all matters concerning the interests of the Negro, the local politician's position can be known and his actions are open to close view. When his acts do not accord or square with the interest of the colored voter, he can be left to find other friends and supporters.

In the second place, the effectiveness and potentiality of the Negro vote in the North and West depends upon an absolute and courageous disregard of traditions. There are times when party fealty may be both proper and commendable. There is to be sure a great deal of hypocrisy and humbuggery in our political parties, yet back of these they do stand for certain great and vital principles. When the latter are put to the test our fealty may properly be demanded, but under normal conditions, when stress and strife of class and selfish interests, invidious discriminations and outrageous injustice prevail, the only safe and prudent course for the individual or class of individuals to pursue is absolute independence of parties and uncompromising devotion to the paramount interest. When we cannot act advantageously, we may act punitively, so that the public servant may know that if he ignores or hypocritically juggles with our interests, he will be held to a strict accountability. If on the eve of an election the party or the individual candidate attempts to cajole by a statement of principles or policy which is ignored after a successful contest, reprisal should be swift and terrible as soon as the opportunity permits.

In the third place, the Negro vote of the North and West needs, if it does not at present lack, intelligent, honest, straightforward, and unselfish leadership. Until it has this, its potentiality will be *nil*.

To impute dishonesty or insincerity to those who from time to time act in the role of leaders of the Negro voters would be unpardonably reprehensible. Men generally act according to their light and it is not an uncommon observation that the average public man gets his light through the medium of a self-interested reflector. Amid the competitions and conflicts, the struggle for place and temporary power and emoluments which characterize all phases of modern life and especially political life in the United States, the calm, clear-eyed, far-seeing man is rare. Yet men of unusual foresight, of clear perception of the fundamental and vital issues with the tact and ability to gain an advantage and an uncompromising determination to hold what has been gained—such is the type of men needed to make the Negro vote potent. The leadership which boasts of its capacity to keep silent under terrible wrongs is not calculated to carry the race far on the road towards real and permanent betterment.

Redress of political wrongs is not the fruit of grim and sanctimonious silence. Whenever it has come, it has been forced by long, continuous and implacable outcry, and Negro leadership must follow the example of men in other lands and in other times who fearlessly cried out against the wrongs which their people

suffered. In "The Making of England," John Richard Green states that the Roman conquerors were able to completely subjugate and enslave the Britons because they were able to make terms with their leaders. The finest skill of the dominant element in governments founded upon tyranny has always been employed in making terms with the leaders of the oppressed.

Silence has its part in our fight and many times the cause has been lost because of failure to observe it, but it is not silence in respect to wrongs. Neither upon battlefields nor in the mad clash of passions and ambitions that mark the control of states is victory won or success achieved by a boisterous parade of the plan of attack. In the subtle operation of American political methods, silence is the sphinx that baffles the most astute and insinuating politician. The silent vote is a greater dread to the party leaders than was the sword to Damocles.

The Negro ballot has almost lost its potency on account of the unconcerned cocksureness of one political party that the other side will not get the benefit of it. The party managers have no concern about the certainty of the Negro vote and therefore spend all of their effort in trying to satisfy the demands of the other elements and are never able to know whether or not they have succeeded until the vote is counted. They fear the silent vote. It is thoughtful, analytic, decisive. It scans, records, and registers every dodge, retreat, and juggle which the honorable candidate or the party has been guilty of in matters which concern it.

In the exercise of the suffrage, the Negro voter has never been indifferent to the best and noblest interests of the republic. For more than forty years he has voted with the majority of his fellow countrymen on all the great questions which have divided the people. This he has done out of regard more for what men have considered the welfare of the country than for what he has deemed advantageous to himself. There is now a need of a change. He must now consider his well-being and safety identical with the well-being and safety of the republic and must require all men who seek his vote to consider it likewise.

To-day we are on the eve of a great national festival. The peaceful succession of government is a boon not enjoyed by all the peoples of the world. It is an event which deservedly appeals to the enthusiasm and civic pride of the nation. From all corners of the state have come delegations of citizens representing all classes, who come not only to honor and grace by their presence the event but, I believe, to pay honest and manly tribute to a man who is beloved and trusted by the whole American people. His battles against civic wrongs and in behalf of weaker classes and his policy of "all men up and no men down," not only make him the paragon of public officials, but a lovable and trusted man. Among the throngs that shall honor him and in turn be honored in the escort which will make the Avenue the most splendid pageant which can adorn any modern gov-

ernment, none will march more proudly than the brave and valiant regiment of black men who, with him whom they honor, risked all and won glory on the field of San Juan. Yet by the laws of the land and by the policy of the government, their rights and their manhood are not on a parity with those of other citizens who with less desert shall follow in his train. It is the possibility of such a state of affairs, that the Negro vote of the North and West, yea the great body of all good citizens must exercise itself to prevent.

## Migration and Distribution of the Negro Population as Affecting the Elective Franchise—*KELLY MILLER*

Population lies at the basis of all human problems. The first command given by the Creator to the human race was to multiply and replenish the earth. The growth and expansion of the Negro population in the United States must be the controlling factor in the many complex problems to which his presence gives rise. In order to gain adequate as well as accurate knowledge on this subject, it is necessary to take a comprehensive view of its progress since its transplantation in America. It is well known that the first ship load of African slaves was landed at Jamestown, Va. in 1619. This original handful augmented by fresh importation and by its own rapid multiplication had swollen to three quarters of a million when the first Census was taken in 1790. The following table will reveal the essential facts as to the expansion of this population.

There are certain noticeable irregularities in this table, due in part to known disturbing causes, and in part to imperfections in census methods. It is thus seen that the Negro constitutes a rapidly increasing element, though a slowly diminishing minority of the total population. This relative diminution is due wholly to the influx of white immigrants, more than 14,000,000 of whom have come to our shores since 1860. If the two races should continue to grow at the same relative rate of increase as during the last decade, according to the law of

TABLE 6

NEGRO POPULATION OF THE UNITED STATES.				
YEAR.	NUMBER OF NEGROES.	DECENNIAL INCREASE.	PER CENT OF INCR.	PER CENT OF TOTAL POPUL.
1790	757,208	-	-	19.27
1800	1,002,037	244,829	32.33	18.18
1810	1,377,808	375,771	37.50	19.03
1820	1,771,656	393,848	28.50	18.39
1830	2,328,642	556,986	31.44	18.10
1840	2,873,648	545,006	23.44	16.84
1850	3,683,808	765,169	26.63	15.69
1860	4,441,830	803,022	14.13	14.13
1870	4,880,009	438,179	9.87	11.68
1880	6,580,793	1,700,784	34.85	13.12
1890	7,470,040	889,247	13.51	11.93
1900	8,840,789	1,370,749	18.35	11.57

diminishing ratios, it would require more than one hundred years to reduce the Negro to one-tenth of the total population. So far as any practical calculation is concerned, we may regard this as an irreducible minimum. So long as the Negro constitutes one-tenth of the entire body of the American people we may expect to have the race problem, both in its general and in its political features.

From the foundation of our government the Negro has constituted a serious political problem, mainly because of his unequal geographical distribution. If agricultural and economic conditions had been uniform, and the slaves had been evenly scattered over the whole area, the political phase of the race problem would have been far different from what it is and has been throughout our national life. The fact that the bulk of this race has been congested in one section has constituted the cause of political friction from the foundation of the Constitution till the present hour. This population persists in remaining in that section where it was most thickly planted by the institution of slavery. The center of gravity is still moving slowly towards the gulf of Mexico. Ninety-two per cent of the race is still found in the sixteen states where slavery prevailed at the outbreak

of the civil war. The coastal states, from Maryland to Texas, contain three-fourths of the total number.

While there has been a steady stream of Negro immigration towards the North and West, yet it has not been sufficient to materially affect the mass tendency. It would seem, on first view, that the Negro who complains so bitterly against political restrictions in the South would rush to the freer conditions of the North as a gas from a denser to a rarer medium. But political and civil freedom offered by the North are more than off-set by industrial restrictions and by the inertia of a population devoid of the pioneer spirit. The warm blooded, warm hearted child of the tropics is chilled alike by the rigid climate and frigid social atmosphere that prevail in the higher latitudes. In all New England there are fewer Negroes than are to be found in a single county in Tennessee.

TABLE 7

SECTION.	POPULATION.	INCREASE, 1890 TO 1900	RATE OF INCR.
United States	8,840,789	1,370,749	18.35
Georgia	1,034,813	175,998	20.50
Mississippi	907,630	165,071	22.20
Alabama	827,307	148,818	21.90
So. Carolina	782,321	93,387	13.60
31 Northern States	759,788	181,876	31.50

We learn from this table that there are four states in the union, each of which contains a larger number of Negroes than all the 31 free states combined. While such free states show a much more rapid decennial increase than any of the far south states, still the total increment scarcely exceeds that of the single state of Georgia. These figures reveal no mad hegira to a fairer and better land. The increase in the Northern states is due almost wholly to immigration from the South. It is entirely probable that the Negro population, left to itself, would not be a self sustaining quantity in the higher latitudes. During the last decade there was an absolute decline of the Negro population in Vermont, North Dakota, South Dakota, Nebraska, New Mexico, Nevada, Oregon and California.

The political significance of this Northern movement is out of all proportion to its absolute weight. It is only in the North that the Negro vote has dynamic power. In several of the border states, this vote is at present unhampered, but

there is no guarantee of future security. In Mississippi there are 197,936 Negro males of voting age, but this potential vote does not affect the choice of a single official of that state. The black vote of that commonwealth is as completely nullified as the last two amendments had never been appended to our national constitution. On the other hand the 5,193 adult Negro males in Mich. are accounted of considerable consequence in the political equation of that state. In the Northern and Western states where men feel free to align themselves according to conviction, the two parties are so nearly even that the Negro vote constitutes the balance of power. Owing to unusual political conditions, which cannot be counted on to continue, the last three presidential elections were practically one-sided. The Republican party triumphed by a margin that far exceeded the entire Negro Contingent. It is only in several of the border states that this vote could in any way have affected the fate of presidential electors. The Negro vote, however, has been quite effective in state elections, and in the choice of congressmen. As the parties gravitate to normal conditions, the Negro vote will again become the balance of power in the controlling states of the North. At the beginning of every campaign each party feels that it has a chance of success. At such times the black vote looms up large and significant. In national affairs the colored vote usually adheres to the party of Lincoln and Sumner. As the margin between the two parties is a shifting and uncertain quantity, the rapid increase of the Negro vote in the Northern States becomes a matter of great political importance.

These figures tell their own story when we consider the normal relation between the two parties in these several states. It is also interesting to note that the Negroes in the North are found very largely in the cities. This makes this vote of considerable importance in municipal elections. There is, however, a tendency on the part of this vote to distribute itself between the two parties in purely municipal and local matters, which to a great degree neutralizes its special significance.

The most effective use that the Negro in the North can make of his political privilege is to uphold civic righteousness in municipal affairs, and to support those men and measures pledged to support the integrity of the constitution and its vital amendments.

## The Negro and His Citizenship—

TABLE 8

NEGRO MALES OF VOTING AGE IN THE NORTHERN STATES.		
STATE.	1890.	1900.
Pennsylvania	34,873	51,668
New York	24,231	31,425
Illinois	18,200	29,762
Ohio	25,922	31,235
Indiana	13,079	18,186
New Jersey	14,564	21,474
Massachusetts	7,967	10,456
Rhode Island	2,261	2,765
Connecticut	3,497	4,576
Kansas	12,543	14,695
Michigan	-	5,193

TABLE 9

NEGRO VOTERS IN NORTHERN CITIES, 1900.	
CITY	NEGROES OF VOTING AGE
Philadelphia	20,095
New York	18,651
Chicago	12,424
Pittsburg	6,541
Indianapolis	5,200
Boston	4,441
Cincinnati	4,997
Detroit	1,732

# FRANCIS J. GRIMKÉ

ACTS 22:25-29.—*And when they had tied him up with the thongs, Paul said unto the centurion that stood by, Is it lawful for you to scourge a man that is a Roman and uncondemned? And when the centurion heard it, he went to the chief captain and told him, saying, What art thou about to do? for this man is a Roman. And the chief captain came and said unto him, Tell me, art thou a Roman? And he said, Yea. And the chief captain answered, With a great sum obtained I this citizenship. But Paul said, But I am a Roman born. They then that were about to examine him straightway departed from him: and the chief captain also was afraid when he knew that he was a Roman, and because he had bound him.*

In this passage attention is directed to four things: To the fact that Paul was a Roman citizen; to the fact that he was about to be treated in a way that was forbidden by his citizenship; to the fact that he stood up for his rights as a Roman citizen; and to the fact that those who were about to infringe upon his rights were restrained, were overawed.

I. Attention is directed to the fact that Paul was a Roman citizen. Citizenship was a possession that was very highly esteemed, and that was obtained in several ways,—by birth, by purchase, as a reward for distinguished military services, and as a favor. Paul's came to him by inheritance; his father before him had been a Roman citizen: how it came to the father we do not know. At one time the price paid for it was very great. The chief captain, in the narrative of which our text is a part, tells us that he obtained his with a great sum; and therefore he seemed surprised to think that a man in Paul's circumstances should have it. At first he seemed a little incredulous, but it was only for a moment. The penalty for falsely claiming to be a Roman citizen was death; this fact together with the whole bearing of the apostle finally left no doubt in his mind: he accepted his statement.

It was not only a great honor to be a Roman citizen, but it carried with it many rights and privileges that were not enjoyed by others. These rights were either private or public,—*Jus Quiritium*, and *Jus Civitatis*. Among Private Rights, was the Right of Liberty. This secured him against imprisonment without trial;

exemption from all degrading punishments, such as scourging and crucifixion; the right of appeal to the emperor after sentence by an inferior magistrate or tribunal, in any part of the empire; and also the right to be sent to Rome for trial before the emperor, if charged with a capital offence.

Among Public Rights belonging to Roman citizens the following may be mentioned: (1) The right of being enrolled in the censor's book, called, *Jus Census*. (2) The right of serving in the army, called, *Jus Militiae*. At first only citizens of the empire were permitted to engage in military operations, to bear arms and fight in its behalf. (3) The right to vote in the different assemblies of the people, called, *Jus Suffragii*. This has always been and is to-day one of the most important functions of citizenship, and one that should be highly prized and sacredly guarded. (4) The right of bearing public offices in the state.

There were many other rights enjoyed by Roman citizens, but I will not take the time to enumerate them: these are sufficient to show us the value, the importance of Roman citizenship; and this citizenship the apostle Paul was invested with, with all the rights and privileges which were involved in it. On one occasion he said, "I am a citizen of no mean city," referring to Tarsus, which was one of the free cities of Asia Minor; but more than that, as he tells us here, he was a citizen of the empire.

II. Attention is called to the fact that Paul was about to be treated in a way that was forbidden by his citizenship; that was contrary to Roman law. He had gone up to Jerusalem to attend the feast of Pentecost. After meeting the brethren and rehearsing to them the wonderful things which God had wrought through his ministry among the Gentiles, they congratulated him upon his success, but said to him: "Thou seest, brother, how many thousands there are among the Jews of them that have believed; and they are all zealous for the law: and they have been informed concerning thee, that thou teachest all the Jews who are among the Gentiles to forsake Moses, telling them not to circumcise their children neither to walk after the customs. What is it therefore? they will certainly hear that thou art come. Do therefore this that we say to thee: We have four men that have a vow on them; these take, and purify thyself with them, and be at charges for them, that they may shave their heads: and all shall know that there is no truth in the things whereof they have been informed concerning thee but that thou thyself walkest orderly, keeping the law." It was in compliance with this request, that Paul went into the temple to do as he was asked to do: and while there was seen by certain Jews of Asia, i. e., the province of Asia, who at once stirred up the multitude and laid hands on him, crying out, "Men of Israel, help: This is the man that teacheth all men everywhere against the people, and the law, and this place; and moreover he brought Greeks also into the temple and hath defiled this holy place." It was like touching a match to a powder magazine. The people were aroused. Instantly

there was a response to the call; and dragging the apostle out of the temple they were in the act of beating him to death, when the chief captain, learning of the tumult, rushed down with a squad of soldiers and rescuing him, brought him into the castle. The next day with a view of ascertaining what the trouble was, the real ground of complaint against the apostle, the chief captain proposed to examine him by scourging, and issued orders to that effect. In obedience to this order the apostle was stripped and actually tied up. The process of examination proposed was very severe. The culprit was stripped and tied in a bending posture to a pillar, or stretched on a frame, and the punishment was inflicted with a scourge made of leathern thongs weighted with sharp pieces of bone or lead, the object being to extort from the sufferer a confession of his guilt or the information desired.

If the chief captain had understood the Hebrew language, and could have followed the address of the apostle which was delivered on the steps of the palace, he would have understood what the trouble was, without attempting to resort to this brutal method of finding out; but evidently he did not. Everything indicated, however, that it was something very serious, judging from their treatment of him, and from the intense excitement which his words produced upon them, and hence, he was all the more anxious to find out. If the apostle was guilty of any offence against the law, it was the duty of the chief captain to take cognizance of it, and to punish him accordingly, but if he was innocent, if he had in no way transgressed the law, it was his duty to release him. The law also provided how the guilt or innocence of an accused person was to be ascertained; and it was the duty of the chief captain to have followed the course prescribed by the law; but it is clear from the narrative that he had determined upon another course: the prisoner is ordered to be scourged, instead of calling upon those who had assaulted him to make their charges, and to substantiate them, and then giving the apostle an opportunity of defending himself.

III. Attention is directed in the text to the fact, that the apostle stood up manfully for his rights. After they had tied him up, as if waiting to see just how far they would go, and just as the process of scourging was about to begin, he challenged their right to proceed: he said to the centurion, who was standing by, and who was there as the representative of the chief captain, to see that the scourging was properly done, and to make note of what he confessed,—he said to this man: "Is it lawful for you to scourge a man that is a Roman, and uncondemned?" The law expressly forbade the scourging of Roman citizens; it was an indignity to which no Roman citizen was to be subjected. This was what was known as the Porcian law, and took its name from Porcius, the Tribune through whose influence its adoption was secured. And this is the law to which the apostle here appeals, whose protection he invokes. Paul, as a Roman citizen, not only knew what his rights were, but he stood up for his rights. He insists here upon

being treated, as he was entitled to be treated, as a citizen of the empire. They are about to scourge him, contrary to law, and he says to them, Stop; you have no right to treat me in this way, intimating and they evidently understood it, that if they did not desist, they would hear from him; he would bring the matter to the attention of the emperor.

This is not the only place where Paul falls back upon his rights as a Roman citizen. He did the same thing a little later on. He was removed from Jerusalem to Caesarea, as you will remember, where he remained a prisoner for two years. During that time he was frequently placed on trial before various officials,—before Felix, before Festus, before Agrippa. It was during one of these hearings, that Festus the governor, in order to curry favor with the Jews, intimated that he might be sent back to Jerusalem to be tried: and doubtless this was his intention, having entered into a secret arrangement with the enemies of the apostle, who had resolved to kill him at the first opportunity. This they felt that they would have a better chance of doing if they could only induce the governor to return him to Jerusalem. The apostle, of course, knew all this; he knew how intensely they hated him, and what their plans and purposes were, and he was determined not to be entrapped in this way. The record is: "Paul said in his defence, 'Neither against the law of the Jews, nor against the temple, nor against Caesar have I sinned at all.' But Festus, desiring to gain favor with the Jews, answered Paul and said, 'Wilt thou go up to Jerusalem, and there be judged of these things before me?' But Paul said, 'I am standing before Caesar's judgment-seat, where I ought to be judged: to the Jews have I done no wrong, as thou also very well knowest. If then I am a wrong doer, and have committed anything worthy of death, I refuse not to die; but if none of these things is true whereof these accuse me, no man can give me up to them. I appeal unto Caesar.' Then Festus, when he had conferred with the council, answered, 'Thou hast appealed unto Caesar, unto Caesar thou shalt go.'"

One of the great privileges of a Roman citizen was the right of appeal; the right of being heard directly by the emperor, of taking his case out of the hands of all inferior judicatories, up to the highest: and this is the right which the apostle here avails himself of. It was the only thing that saved him from being turned over by a corrupt official into the hands of his enemies; and it forcibly illustrates the importance of citizenship. Had he not been a Roman citizen clothed with the sacred right of appeal he would have been basely sacrificed to the malice of his enemies; or, though he had been a Roman citizen, if he had cowardly surrendered his right, if he had failed to exercise it, he would have equally perished; but the apostle stood upon his right, and so succeeded in thwarting the purposes of his enemies.

IV. Attention is directed in the text to the fact, that those who were about

to scourge this man, were restrained by the knowledge of the fact that he was a Roman citizen. The moment they became aware of this fact; at the mere mention of that sacred name, citizen, everything came to a stand still; the uplifted hand, ready to smite, is arrested, and we find the centurion running off, in great excitement in search of the chief captain, and saying to him, "What are you about? Do you know that this man is a Roman?" and we see the chief captain coming in great haste and saying to the apostle, "What? can it be possible! Are you really a Roman?" "Yes," said the apostle, "I am; and my father before me was." The chief captain is astonished; yea, more, fear takes hold of him; he becomes suddenly alarmed.

There are two things in this incident that are worthy of note: first, this indignity that was offered to the apostle was through ignorance. It was not known that he was a Roman citizen. The law was violated, but it was not purposely done. It was not the intention of the chief captain to ignore the rights involved in citizenship; for he himself was a Roman citizen, and was interested in maintaining those rights. And, second, to trample upon the rights of a Roman citizen was a very grave offense, a very serious matter; and it became a serious matter because back of this citizenship was the whole power of the empire. These rights were carefully guarded, were rigidly enforced, so that the term, Roman citizen, was everywhere respected. No one could infringe those rights with impunity: hence you will notice what is said here, "The chief captain was afraid when he knew that he was a Roman because he had bound him." He recognized at once the gravity of the offense. That was old pagan Rome; but under its rule citizenship meant something; it was a sacred thing; back of it stood the strong arm of the Government to give efficacy, power to it. This man was afraid when he realized what he had done; and that is the feeling which outraged citizenship ought everywhere to inspire. It ought to mean something; and there ought to be power somewhere to enforce its meaning.

But it is not of Roman citizenship that I desire to speak at this time, but rather of American citizenship, and of that citizenship as it pertains to ourselves. In the providence of God we are citizens of this great Republic. The Fourteenth Amendment to the Constitution declares: "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." Under this provision of the Constitution we are all citizens; and we have earned the right to be citizens. We have lived here as long as any other class in the Republic; we have worked as hard as any other class to develop the country; and we have fought as bravely as any other class in the defense of the Republic. If length of residence, if unstinted toil, if great sacrifices of blood, if the laying of one's self on the country's altar in the hour of peril, of danger, give any claim to citizenship, then our claim is beyond

dispute; for all these things are true of us.

We are *citizens* of this great Republic: and citizenship is a sacred thing: I hope we realize it. It is a thing to be prized; to be highly esteemed. It has come to us after 250 years of slavery, of unrequited toil; it has come to us after a sanguinary conflict, in which billions of treasure and rivers of blood were poured out; it has come to us as a boon from the nation at a time when it had reached its loftiest moral development; when its moral sense was quickened as it had never been before, and when it stood as it had never stood before upon the great principles enunciated in the Declaration of Independence, not as glittering generalities, but as great realities: it was at that sublime period in our history, when the national conscience was at work; when the men who were in charge of affairs were men who stood for righteousness; when the great issues before the country were moral issues, issues involving human rights,—that the nation saw fit to abolish slavery and to decree the citizenship of all men, black and white alike. When we think of what this citizenship has cost, in blood and treasure; of the noble men through whose influence it was brought about; and of the fact that it came to us from the Nation when it was at its best, when it was living up to its highest light, and to its noblest conceptions of right and duty,—we ought to prize it, to set a high value upon it.

And we ought to show our appreciation of it: (1). By being good citizens; by doing everything in our power to develop ourselves along right lines, intellectually, morally, spiritually, and also materially: and to do everything in our power to promote the general good; everything that will help to make for municipal, state, and national righteousness. We are to remember that we are part of a great whole, and that the whole will be affected by our conduct, either for good or bad. If we live right, if we fear God and keep his commandments, and train our children to do the same, we ennoble our citizenship; we become a part of the great conservative force of society, a positive blessing to the community, the state, the nation. It is especially important for us, in view of the strong prejudice against us, the disposition to view us with a critical eye, to hold up and magnify our short-comings, that we be particularly concerned to be constantly manifesting, evidencing our good citizenship by allying ourselves only with the things that are true, and just, and pure, and lovely, and of good report. We ought not to lose sight of the fact that the strongest fight that is being made against us to-day is by those who are doing most to discredit us, to array public sentiment against us,—those who are parading our short-comings and imperfections, who are giving the greatest publicity, the widest circulation to them. There are persons in this country, who are determined, and who never lose an opportunity to blacken our good name. Dr. DuBois, in that splendid document of his, "Credo," said among other things, "I believe in the Devil and his angels, who wantonly work to narrow

the opportunity of struggling human beings, especially if they be black; who spit in the faces of the fallen, strike them that cannot strike again, believe the worst and work to prove it, hating the image which their Maker stamped on a brother's soul." And this is one of the conditions that confront us in this country, and that we must not lose sight of. The fact that there is this determination on the part of our enemies to prove that we are utterly unworthy of this great boon of citizenship, should have the effect of creating within us a counter determination to show that we are worthy,—to do our level best in every sphere of life. Now I do not mean by this to say that we are not proving ourselves to be good citizens; for we are: a great many of us are; but I have called attention to it because I feel that it ought to be emphasized; that we need to feel more keenly and more widely than is felt, the meaning of this great boon and the demand which it makes upon us. It is a challenge to every man to live a straightforward, upright, worthy life. And what is needed is, not only that *we*, who have had exceptional opportunities, should feel this way, but that the great mass of our people should be educated to feel the same, to be animated by the same spirit. And *we* are to be their educators; it is through *us* that this spirit is to descend upon them, and take possession of them. If this citizenship means anything, it means that we should be concerned about everything which makes for law, for order, for good government, for individual, municipal, state, and national purity and righteousness; it means that each one of us ought to be a living example of the best type of what a citizen ought to be.

But this is not all: if we value our citizenship we will not only seek to make the most of ourselves, to live on the highest plane but we will also stand up manfully for our rights under that citizenship. I have no patience with those who preach civil and political self-effacement. I never have believed in that pernicious doctrine, and never will. When you have effaced a man, civilly and politically, in a government like our own, what is he? What does he amount to? Who cares for him? What rights has he which any other class is bound to respect? He is a mere nonentity, entitled to no consideration, and with no refuge to which he can fly in the hour of his need. To be civilly and politically effaced is to be civilly and politically dead; and to be civilly and politically dead is to be at the mercy of any and every political party or organization, and to be under the iron heel of the worst elements in the community without any means of redress.

We are *citizens* of this Republic: and I want to direct attention to this fact for a moment; and I am glad of the opportunity of doing it at this time, when we are in the midst of celebrating the inauguration of our President. I thank God for the man at the White House; for his courage; for his high sense of righteousness; for the many splendid things which he has said; and for the noble stand which he has taken on human rights; on equality of opportunity; on the open door for

every man in the Republic irrespective of race or color. I rejoice in the fact that we have such a President. I commend him heartily for what he has done. I hope he will do more; I hope there are yet larger things in store for this race through him. But whether he does more or not; or whatever may be his future policy, or the future policy of the leaders of either of the great political parties, or the rank and file of those parties, it cannot, it will not affect in the least, our attitude in regard to our rights under the Constitution. We are citizens, clothed with citizenship rights; and, there is no thought or intention on our part of ever surrendering a single one of them. Whatever others may think of it, or desire in regard to it, we do not propose to retreat a single inch, to give up for one moment the struggle. I say, *we* and in this, I believe I speak for those who represent the sentiment that is taking more and more firmly hold of the heart of this race. I belong to what may be called the radical wing of the race, on the race question: I do not believe in compromises; in surrendering, or acquiescing, even temporarily, in the deprivation of a single right, out of deference to an unrighteous public sentiment. I believe with Lowell,

"They enslave their children's children,  
Who make compromise with sin."

And this, I believe, at heart, is the sentiment of the race; at least, it is the sentiment of some of us. There is where we have taken our stand and there is where we propose to stand to the end. What belongs to us as citizens we want; and we are not going to be satisfied with anything less. We are in this country, and we are here to stay. There is no prospect of our ever leaving it. This is our home, as it has been the home of our ancestors for generations, and will be the home of our children, and of our children's children, for all time. It is of the greatest importance to us, therefore, that our status in it, as it is permanently fixed, should be, not that of a proscribed class, but that of full citizenship with every right, civil and political, accorded to us that is accorded to other citizens of the Republic. This is the thing that we are to insist upon; this is the evil against which we are to guard.

What our enemies are seeking to effect is to make this a white man's government; to fix permanently our status in it, as one of civil and political inferiority. The issue is sharply drawn; and it is for us to say whether we will be thus reduced, whether such shall be our permanent status or not. One thing we may be assured of: such will surely be our fate unless we clearly comprehend the issue, and set ourselves earnestly to work to counteract the movement, by resisting in every legitimate way its consummation, and by using our influence to create a counter public sentiment.

What are some of these citizenship rights for which we should earnestly contend?

(1) The right to life, liberty, and the pursuit of happiness. In one section of this country, at least, and the area is growing, and is fast including others, the life of a Negro isn't worth as much as that of a dog. He may be shot down, murdered, strung up to a tree, burnt to death, by any white ruffian, or band of lawbreakers and murderers with impunity. The color of his skin gives any white man liberty to maltreat him, to trample upon him. He has no rights which white men are bound to respect. If he goes to law, there is no redress; his appeals avail nothing with judge and jury. That is a condition of things that we ought not to rest satisfied under. As long as the life of a black man is not just as sacred as that of a white man, in every section of the Republic; as long as wrongs perpetrated upon him are treated with greater leniency than wrongs perpetrated upon white men, his status is not the same as that of the white man; and as long as it is not the same an injustice is done him, which he ought to resist; against which he ought to protest, and continue to protest.

(2) Another citizenship right is that of receiving equal accommodations on all common carriers and in all hostelries; on railroads, steamboats, in hotels, restaurants, and in all public places. When we travel, whatever we are able to pay for we are entitled to, just as other citizens are. To-day this is largely denied us. The hotels are not open to us; the restaurants are not open to us, even the little ten cent lunch counters, in this the capital city of the nation, are not open to us: we are shut out from all such places, and shut out because of the color of our skin. If we attempt to travel, and turn our faces southward, we must ride in Jim Crow cars; we must be segregated, shut up in a little compartment by ourselves. The privilege which we once enjoyed without stint of taking a sleeper or Pullman car, even that now is being taken from us. One state has even gone so far as to make it unlawful to sell a ticket to a person of color on a sleeper. That is the state of Georgia; a State that has in it Atlanta University, and Clark University, and the Atlanta Baptist College, and Spelman Seminary, and the Gammon Theological Seminary, and Haines Institute, and many other schools of learning; a State that has within its borders some of the very best type of Negroes in this country. The meaning of all this, don't let us misunderstand: it is a part of the general policy, which is being vigorously pushed by our enemies, to fix our status as one of inferiority, by shutting us out from certain privileges. The whole thing is wrong. Such invidious distinctions ought not to be permitted in a republic. It is inconsistent with citizenship. Everything ought to be open to all citizens alike:—railroad cars, hotels, restaurants, steamboats, the schools and colleges of the land: our public schools ought to be open to all the children alike. There ought not be separate schools for the whites, and separate schools for blacks: all the children

of the Republic ought to be educated together; and sooner or later it is bound to come to that. Some one has said, "It isn't so much the Jim Crow car, as it is the Jim Crow Negro in the car." The fallacy of this statement, and its attempted mitigation or justification of the Jim Crow car, lies in the fact that the Jim Crow car has nothing whatever to do with the Jim Crow Negro. It was not instituted for him, but for all Negroes, whether Jim Crow or not: in fact, it was designed, particularly, not for the Jim Crow Negro, but for the intelligent, progressive, self-respecting Negro. If there are Jim Crow Negroes among us we owe them a duty; we ought to seek to improve them, to lift them to higher levels; but while we are doing this, don't let us forget that there is a Jim Crow car, and what it stands for. It stands for a hostile public sentiment; it is a part of a concerted plan which seeks to degrade us, to rob us of our rights, to deprive us of privileges enjoyed by other citizens, because of the color of our skin. If there were no Jim Crow Negroes, we would have the Jim Crow car all the same. We should fight the Jim Crow cars, therefore, not only because of the personal discomfort to which we are subjected in travelling, but also because of the general system of which it is a part,—a system which seeks to establish a double citizenship in the Republic, based upon race and color; the one superior to the other, and carrying with it privileges which are denied to the other.

(3) Another citizenship right is that of serving in the Army and Navy; the right to take up arms and to fight in behalf of the country. This is our right, and we have exercised it, and are still exercising it. We have fought in all the wars of the Republic; and are represented to-day in both Army and Navy. We have made a glorious record for ourselves in this respect. There is no better soldier in the Army of the Republic, than the black soldier. This right has not been denied us, but let us, nevertheless, keep our eyes on it. There are some things even here that need to be looked into. It has been many years since we have had a representative in the great Naval or Military school of the country; and there have been some rumors about limiting the aspirations of Negroes in the Army, of not permitting them to advance beyond a certain point. If there is such a thought or intention on the part of those in authority, it must be resisted. The Negro must be free—in the Army, in the Navy,—in every part of the Army and Navy,—as other citizens are free; to advance according to his merit. His color must not be allowed to operate against him.

(4) Another citizen right is that of suffrage, the right of the ballot; the right to have part in the government; to say who shall make the laws and who shall execute them; and what the laws shall be; the right to have an opinion, and to have that opinion counted in determining what shall be and what shall not be. This is one of the greatest of rights. In a republic citizenship means very little without it. It is this which marks the difference between a representative government, a

government of the people, by the people, and for the people, and a despotism, an absolute monarchy. The glory of the age in which we live is the triumph of democracy; and what is the triumph of democracy but the right of the *people* to say who shall rule; and how is the will of the people expressed? Through the ballot; at the polls. The ballot therefore is the symbol of the sovereignty of the people. If we are to be sovereign citizens of the Republic therefore, this right to vote must be preserved. The old despotic idea of government was, that some people were born to rule, and that others were born to be ruled; and the idea that exists in the minds of some people in this country, in democratic America, in face of the affirmation of the Declaration of Independence, that all men are born free and equal, is that in this country, there are some people who are born to rule, and others who are born to be ruled; and that the people who are born to rule are the whites, and those who are born to be ruled are the blacks: hence the effort that is being made to divest us of this symbol of sovereignty,—the ballot. Let us not be deceived; let us give no heed to any teaching, never mind from what source it may come, which seeks to minimize the importance of the ballot. What difference does it make whether we vote or not? I have heard some weak-kneed, time-serving representatives of our own race say; and the thought has been caught up by the men in the south who have been seeking to rob us of our rights, and by those in the North who have been playing into their hands; and they have said, Yes, What difference does it make? Are you not just as well off without it? What difference does it make? It makes all the difference in the world: the difference between a sovereign citizen of the Republic, and one who has been stripped of his sovereignty; between one who has a say in what is going on, and one who has not; between one who is ruled with his consent, and one who is ruled without it. If we are just as well off without the ballot, how is it that the white man is not just as well off without it? And if he is unwilling to give it up, why should he ask us to give it up? Why should we give it up? If he needs it in order to protect himself, much more do we, for we are weaker than he is, and need all the more the power which comes from the ballot.

(5) Another citizenship right is, that of holding office, the right to be voted for, and of being appointed to positions of honor and trust by the executive power. This is also a right that belongs to us, and that we must contend for. It is one of our rights that is now being especially contested in the South. The Negro must not be appointed to any office, is the demand of Southern white sentiment. I am glad that the President has not yielded wholly to that sentiment. The fight which he made in the Crum case was a notable one, and clearly indicated that he was not willing to shut that door of opportunity to the Negro; that he was not willing to take the position that a man was to be debarred from public office simply because of the color of his skin. That was the right position for him to take, and the only

one that was consistent with his oath of office, and his position as President of *all* the people. I hope that he will continue to act upon that principle; and that he will do more than he has done. There is room for improvement in this direction. A few more appointments of colored men in the North, as well as in the South, would be a good thing. It ought to be done. The right of colored men to receive appointments ought to be clearly and distinctly emphasized by multiplying those appointments. There is nothing like an object lesson in impressing the truth. I hope that the President will give us many such object lessons during the next four years.

The right to life, liberty and the pursuit of happiness; the right to receive equal accommodation on railroads, steamboats, in hotels, restaurants, and in all public places of amusement; the right to be represented in the Army and Navy; the right to vote; the right to hold office: these are some of our citizenship rights, for which we should earnestly contend. Sometimes, we are told, that it would be better to say less about our rights, and more about our duties. No one feels more the importance of emphasizing our duties than I do,—I think I have done about as much of it as anybody,—but among the duties that I have always emphasized, and still emphasize, is the duty of standing up squarely and uncompromisingly for our rights. When we are contending for the truth; when we are resisting the encroachments of those who are seeking to despoil us of our birth-right as citizens; when we are keeping up the agitation for equal civil and political privileges in this country, are we not in the line of duty? If not, where is the line? Duties? Yes. Let us have our duties preached to us,—line upon line, and precept upon precept, here a little and there a little; but at the same time don't let us forget that we have also *rights* under the Constitution, and to see to it that we stand up for them; that we resist to the very last ditch those who would rob us of them. And in doing this, let us remember that we are called to it by the stern voice of Duty, which is the voice of God; and that we need not apologize for our action.

And now in conclusion but a word more and then I am done. The fight before us is a long one. You will not live, nor will I live to see the triumph of the principles for which we are contending; let us not become discouraged however. Things look pretty dark at times, but it isn't all dark. Now and then there are gleams of light, which indicate the coming of a better day. There are forces working *for* us, as well as against us; and with what we can do for ourselves, we need not despair.

”Mine eyes have seen the glory of the coming of the Lord;  
He is trampling out the vintage where the grapes  
of wrath are stored!  
He has loosed the fateful lightning of his terrible swift sword;

His truth is marching on.

He has sounded forth the trumpet that shall never call retreat;  
 He is sifting out the hearts of men before his judgment seat;  
 O, be swift, my soul, to answer him! be jubilant, my feet!  
 While God is marching on.”

Let us take courage; let us gird up our loins; let us stand at our post; let us be true to duty; let us hold ourselves to the highest; let us have nothing to do with the unfruitful works of darkness; let us be temperate, industrious, thrifty; let us do with our might what our hands find to do; let us trust in God, and do the right: and then, whether the struggle be long or short, there can be no doubt as to the final issue. We shall come out victorious; we shall be accorded every right belonging to us under the Constitution, and every avenue of opportunity will be opened to us, as to other citizens of the Republic. The future is largely in our own hands. If we allow ourselves to be permanently despoiled of our rights; to be reduced to a position of civil and political inferiority, the fault will be, not "in our stars," as Shakespeare has expressed it, "but in ourselves." Others can help us; others will help us, as they have already done; but the final outcome will depend mainly upon what we do *for* ourselves, and *with* ourselves. If we are to grow in the elements that make for a strong, intelligent, virtuous manhood and womanhood, we have got to see to it, to be concerned about it; to be more deeply concerned about it than anybody else. And so, if the agitation for equality of rights and opportunities in this country is to be kept up, and it ought to be kept up, we are the ones to see to it. As long as there are wrongs to be redressed, from which we are suffering, we ought not to be silent, ought not for our sake as well as for the sake of the nation at large. Whatever can be done to develop ourselves; whatever can be done to create a healthy and righteous public sentiment in our behalf; whatever can be done to check the encroachments of our enemies upon our rights, we must do it, whether others do or not. May God help us all to realize this, and to address ourselves earnestly to the work that lies before us.

”Be strong!

We are not here to play, to dream, to drift.

We have hard work to do, and loads to lift.

Shun not the struggle; face it. Tis God’s gift.”

## Transcriber's Note

This is one group of papers from a series of papers presented to the American Negro Academy. Founded by Alexander Crummell in March 1897, with 40 of the leading black scholars and writers of the day, the Academy's purpose was to promote literature, science and art, foster higher education and high culture, and to defend the Negro against racist attacks. The Academy was active until 1924. This project was scanned from a facsimile reprint included in a collection of all 22 Occasional Papers of the American Negro Academy. Original spelling varieties have been maintained; tables and footnotes were renumbered.

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