

THE SAFEGUARDS OF PERSONAL LIBERTY.

AN ADDRESS

BY

HON. WM. D. KELLEY,

DELIVERED AT CONCERT HALL

Thursday Evening, June 22, 1865.

Reported for *The Evening Telegraph*, and revised by the Author.

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A public meeting held in Sansom Street Hall, on Monday evening, July 17th, 1865, under the auspices of the S. C. and Statistical Association of the Colored People of Pennsylvania, to awaken a deeper interest than has hitherto existed in this community on the subject of the right of suffrage, passed unanimously, amongst others, the following resolution:

Resolved, That able addresses and arguments, such as the Hon. Wm. D. Kelley's speech on the subject of the "Safeguards of Personal Liberty," and Fred. Douglass' address on "Equality before the Law," and Hon. Robert Dale Owens' letter to President Johnson on "Negro Suffrage and Representative Population," are among many of the noble and unanswerable arguments that every colored man should feel it his imperative duty to circulate.

Since this meeting, the undersigned (Publishing Committee,) have been kindly favored with a revised copy of the Hon. Mr. Kelley's late speech on "The Safeguards of Personal Liberty." With it they commence the first of a series of pamphlets on the important subject of suffrage. All who are really favorable to the just claims of the disfranchised, the Committee hope will give this effort encouragement.

Gratuitous distribution will be made to all who desire to read on the subject. Those, however, who wish to aid the cause, can do so by donations to the Publishing Committee, or by purchasing a number of pamphlets for gratuitous circulation.

As far as means will allow, the Committee will issue documents as frequently as possible; and they feel sanguine that the cause will be largely benefited thereby.

Publishing Committee,—

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ADDRESS.

LADIES AND GENTLEMEN:

The presence of such an audience as this in this heated term is unmistakable proof of the interest the people of Philadelphia take in the subject proposed to be discussed this evening,—“The Safeguards of Personal Liberty.” Certainly no voice familiar as mine is to the people of Philadelphia could, under ordinary circumstances, have attracted such an audience in such a season. It is well that the people are awake to the importance of this subject, for our generation stands confronting the great problem of the just organization of Government for a million of square miles of territory and for countless hundreds of millions of happy or miserable people.

The Emperor of the French opens his biography of Caesar with that brief sentence from Montesquieu, which every American should read and ponder, and accept as a governing maxim in these times:—“In the birth of societies it is the chiefs of the republics who form the institution, and in the sequel it is the institution which forms the chiefs of the republic.” It is for us, the existing generation; it is for us, perhaps, before the next bills of mortality shall be footed up, to determine what shall be the character of the political institutions of the broad territory I have indicated. We are to determine whether they shall be malevolent or beneficent,—we, the people of the loyal States of the Union, whose Governments have not been disorganized or overthrown, and whose presence has ever been felt in the councils of the nation. Ours is a Government of co-ordinate departments, and the people are the direct source of the legislative department.

We have just closed a great war,—a war, the magnitude of which has changed the phraseology of history. When, as Americans, you read the phrase “The Revolutionary War,” you at once recur to the war of 1776. When, previously to the recent fearful contest, you read the phrase “The Great Rebellion,” you thought of the English Rebellion, and Clarendon and his chronicles; but when men shall hereafter read of the Great Rebellion, they will forget that there was such an island as England, and think only of that Rebellion which opened graves to nearly a million of American soldiers, and which cemented by the blood of the slain the grandest fabric of Government ever given to man. (Applause.)

We have closed this war gloriously. The graves of nearly half a million of our brave soldiers attest the valor, patriotism and endurance of the unassuming people of the North. The graves of nearly as many Rebels certify in equal degree to the valor of the American people. Our position as a military power is established. Throw together a statement of the resources exhibited by the North and South, and lay it upon the table of a council of kings and emperors, and ask them whether with all the power and wealth of Europe they can propose to put upon the shores of America like results, and they will answer "No." We have demonstrated to the nations that the world combined against us may not by war disturb essentially the currents of our life. (Applause.) Henceforth internal discord is the sole cause of dread to the American statesman and people; and we may go on through centuries realizing the Utopian dreams of More, if we will but be true to the great principles that underlie our institutions and should regulate the administration of our Government.

Having closed this war thus satisfactorily, we are entering upon the threshold of another—a war of ideas—which involves all the consequences for which so much blood and treasure have been expended. It is for us to say, peacefully, quietly, in the halls of legislation, in the Executive Chamber, from the judicial bench, and when the people assemble in their majesty, to express by the silent ballot their opinions, whether we shall have the full results of our sacrifices and achievements; whether we, in our own proper persons, shall enjoy them, or whether they shall possibly never be realized, or be attained only by distant generations after long periods of strife and agitation, and, perhaps, of war. The contest in which we are now engaged is more difficult than that from which we have thus come with banners streaming in glory. Our enemy in that contest was known; his uniform was of a different color from that worn by the national soldier; the standard under which he fought did not bear the Stars and Stripes which our fathers knew and which we so cherish. We saw that he was armed with deadly weapons, and using them for our destruction. When he came stealthily upon our soil, it was to burn our villages. Some doubted, but more believed, that his hand was engaged in endeavors to fire our cities, to disseminate pestilential disease, to poison the fountain from which drinking water flowed to the babe, the aged, the sick. We knew that we were grappling with a deadly enemy in physical strife, and that it was a contest in which one or the other must conquer,—in which we must vindicate our right to live and govern ourselves, or, with the black man, submit to be governed by an oligarchy that knew no law but its own will and lusts. (Applause.)

The enemy with whom we now contend is more subtle. His purposes and weapons are concealed; his strong fortresses are in our own midst; his weapons are already piercing our hearts, and his chains binding our limbs. The enemy that we are grappling with is pride of race, unchristian and anti-republican prejudices against all races of men save our own. (Applause.) He sits enthroned in our Northern hearts. He controls our actions every hour of the day in

every street of Philadelphia; and if we cannot conquer him, we cannot maintain our own freedom, or transmit the real safeguards of personal liberty to our immediate posterity. (Applause.) The struggle will be fearful, if it be true that he that ruleth his spirit is better than he that taketh a city.

"But," you ask, "what are the safeguards of personal liberty?" Let me tell you first what they are not, and, in doing so, shock your settled convictions. I know what worshippers of the compromises of the Constitution we have been. I know how, in order to save the Constitution and the Union, we have gone on from 1820 to 1860, a period of forty years, abandoning every principle we held dear, abandoning our manhood, abandoning the safeguards of our own personal liberty. I know how cherished the letter of the Constitution is, and I do not mean to disparage its value as a frame of government when I say, broadly and with emphasis, that the safeguards of personal liberty are not found in laws and constitutions,—are not found in legislative or constitutional provisions. These in themselves as safeguards to personal liberty are idle as the summer breeze or the fantasy of the fevered brain. Do you ask me whether I mean to say that statesmen and philosophers have been wrong in claiming that it is important that constitutions should guarantee liberty, and that laws should be wise, humane and preservative of the rights of individuals? No; I mean to say that these give expression merely to prevailing sentiment; that they are the means by which you may occasionally enforce an invaded right, but that they do not guarantee the enjoyment of rights. Let me, in the most familiar way, illustrate the truth of these propositions.

In every State and every county of the United States, there is a law against riot,—a law enforced by peculiar penalties; for it punishes not only the convicted rioter, but also the tax-paying people of a city or county in which a destructive riot is permitted to occur. It not only requires every citizen to abstain from acts of riot, but if they see a riot threatening, and fail to rally to the assistance of the authorities, and prevent or suppress it, and blocks of stores be burned and millions of dollars worth of property destroyed, it taxes each and every one to reimburse the sufferer. One might suppose, therefore, that in no community would there be any destruction of property by riot.

But constitutions are more sacred than laws, and I turn to the Constitution of the United States and those of every State in the Union. You will remember that they cherish and guard as precious above all things, save human life, the freedom of speech and of the press, and the right of the people peaceably to assemble, to discuss their grievances and petition for redress. This is not peculiar to any State; it stands out prominent, pre-eminent, in the Constitution of every State. Again, we find that the Constitution of the United States provides specifically that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." Let me illustrate the importance of this proviso, and show how large a personal interest every citizen of the country has in the republican cha-

racter of each State Government. We are all now Pennsylvanians. We may have been born in any other State of the Union or in a foreign land; but if, having been born or naturalized in another, we have lived in this State one year with the intention of making it our residence, or if, having been born in a foreign land, we have, after five years' residence, been naturalized here, we are Pennsylvanians. Yet, under the clause of the Constitution of the United States referred to, we may be, at the end of one or two years, as may be provided by the Constitutions of the respective States, each one a citizen of some other State; that is, by virtue of our citizenship here we have a right to emigrate to any other State, and, by the lapse of the time (one or two years at most) fixed by the Constitution of that State, will be invested, not by specific act, but by the mere lapse of time, with citizenship in that State. And in the interim we are constitutionally entitled to the fullest protection of its laws.

Now, let me challenge your memories. I shall not attempt to startle you with any new facts. I have not been exploring classic or ancient history for illustrations of my views. I am going to appeal to the recollections of this generation, and to events that have happened within general notoriety and our own observation. I begin first with the city of Boston. I was there in that period of transition when passing from youth to manhood. A native of Philadelphia, I had gone counter to the general current of American emigration, and sought employment in New England, instead of upon the broad fields of the West.

I remember to have seen, while in that city, a large assemblage of the wealthy, intelligent and enterprising business men of Boston, in front of a small printing office. I saw them take down by violence the sign from the front of it, and directly afterwards bring from the office a pale, calm-looking man; and when they were about to perpetrate violence upon him, two rough men, in their shirt sleeves, pressed through the throng of merchants and other well-dressed gentlemen, and carried him safely away. To what place? To one of the public buildings near by,—the old State House. Some time afterwards I saw a carriage drive up, the police gather around, and Theodore Lyman, the Mayor of the city, with his baton of office, put that pale, thoughtful man, William Lloyd Garrison—for it was he—into the carriage, and hurry to Leverett Street jail, that its thick walls and iron bars might protect him from a riotous mob of the intelligent, enterprising, wealthy people of Boston.

And what crime did they allege against him? "Why, this man," said they, "will think, and, still worse, will, in accordance with the Constitution of the State of Massachusetts and that of the United States, say and print what he thinks,—the vile rascal!" I witnessed the sight. His only crime was that he stood by the cardinal text and the underlying principle of the Constitution of Massachusetts and that of the United States, and exercised a freeman's right to think and speak; and for that he went to prison, while the flagrant and well-known violators of the law went peaceably home to dine.

But again. In that year, the sovereign State of Georgia, by the

deliberate and unanimous action of both branches of its Legislature, passed a bill, which met the approval of the Governor of the State, and is printed in its statutes, offering a reward of \$5000 to the man who would bring the body of that same William Lloyd Garrison, dead or alive, into the State of Georgia. For what? Because he had ever violated a law of Georgia? Not at all. He had never been there; he had never been south of Baltimore. It was because in the distant—and, according to Southern doctrine, sovereign—State of Massachusetts, he would stand by the seminal principle of the Constitution of the States of Georgia and Massachusetts and the United States of America; in other words, he would vindicate the right of the citizen to think and speak freely, and the right of the people to assemble peaceably and petition for redress of grievance. I do not think that William Lloyd Garrison, or the rights he vindicated, found adequate safeguards in legal or constitutional provisions.

Let us come now to a period a little later. In 1838, having met with an accident which disabled me from the pursuit of my business, I returned to Philadelphia, to the land of William Penn, the City of Brotherly Love. Let me remark, my friends, in passing, that as Americans owing supreme allegiance to the Constitution of the United States, our highest pride should be that we are Americans; but we are for the time being Pennsylvanians, and as "one star differeth from another star in glory," so may one State differ from another in glory, and a citizen may feel his cheek glow with pride or blanch with shame as he reviews the history of his native State or that of his adoption. I, as a Pennsylvanian, exult with all the pride of proudest manhood over some chapters of Pennsylvania's history, while there are others which I would, if it were possible, wash out with tears of blood.

I came back to Pennsylvania, which was the first State, kingdom or empire since time began that voluntarily, without remuneration and by deliberate legislative act, abolished human slavery, which was then prosperous in its midst. (Applause.) Yes, to dear old Pennsylvania belongs the glory of having set the world at large the example of voluntary emancipation. Our revolutionary ancestors, in 1780, while there were yet, as it proved, three years of war before them, and while, so far as they knew, there might be ten, provided for the abolition of slavery; and it was as President of the Pennsylvania Society for Promoting the Abolition of Slavery, and on behalf of the people of our State, that Franklin, in 1790,—but a few months before his death,—appeared at the bar of the first Congress and presented a petition which embodied these earnest words:—

"Your memorialists, particularly engaged in attending to the distresses arising from slavery, believe it to be their indispensable duty to present this subject to your notice. They have observed with real satisfaction that many important and salutary powers are vested in you for promoting the welfare and securing the blessings of liberty to the people of the United States; and as they conceive that these blessings ought rightfully to be administered, without distinction of color, to all descriptions of people, so they indulge themselves in the pleasing expectation, that nothing which can be done for the relief of the unhappy objects of their care will be either omitted or delayed. From a per-

suasion that equal liberty was originally the portion, and is still the birthright, of all men, and influenced by the strong ties of humanity and the principles of their institutions, your memorialists conceive themselves bound to use all justifiable endeavors to loosen the bonds of slavery and promote a general enjoyment of the blessings of freedom. Under these impressions, they earnestly entreat your serious attention to the subject of slavery; that you will be pleased to countenance the restoration of liberty to those unhappy men, who alone, in this land of freedom, are degraded into perpetual bondage, and who, amidst the general joy of surrounding freemen, are groaning in servile subjection; that you will promote mercy and justice towards this distressed race, and that you will step to the verge of the power vested in you for discouraging every species of traffic in the persons of our fellow men."

From these primitive dates till 1820, when, over her unanimous vote in both Houses of Congress, the Missouri Compromise was adopted, Pennsylvania stood the foremost, or among the foremost, States of the country in defence of all the safeguards of personal liberty. Though there be a sad intervening chapter in her history, and though Pennsylvanians will always blush to remember that James Buchanan was born on the soil of our State, she has not failed at intervals since 1820 to assert, from time to time, her right to her leading position. It was David Wilmot, of Pennsylvania, who, in 1846, by reviving the Jefferson proviso, reasserted her right; and I may be permitted to say that it was an humble son of Pennsylvania who, in the last Congress, claimed for her her just precedence in recognizing the equality of all men before the law. (Applause.)

But to return from this digression. In 1838, remembering the early and proud record of Pennsylvania, I said, as I left my friends in Boston, "I am going to a State where constitutions are regarded and laws obeyed, and where the people may freely think and speak. I am going to my native city, where the people have erected, and are about to dedicate, to freedom a glorious temple, in which the boldest thinkers of the land may meet, and in which the humblest people will be instructed." I arrived during the week in which Pennsylvania Hall was dedicated. I visited it. Anxious, perhaps, to boast, when I went back, that I had spoken in such a hall, I raised my young voice in what was doubtless a very feeble attempt at eloquence. I also visited, in the building next to that hall, an humble-looking building in the shadow of its high walls, one whom I had loved from my infancy, one whom I had never known to be in physical health, but who had lain for years a sainted woman, passing slowly away, and showing how lovely age could be as it glided calmly towards the grave,—the sole surviving sister of my mother. But one evening looking in that direction I saw the heavens lurid, and heard, long squares away from the place, the howling of infuriated men. I sought to reach the spot, but in vain. As I approached it, I thought that the infernal region had yielded its demons to earth, and that they were showing how hideously they could act. The blaze seemed to reach the very heavens; the stout walls seemed to totter; and around the raging conflagration the Constitution-loving and law-abiding people of Philadelphia shouted discordant songs of triumph, the key of the hall having been handed over to the Mayor of the city, that the act might appear to receive the stamp of municipal authority.

How painfully was I thus taught that Constitutional provisions were not more efficient in Philadelphia than in Boston in guarding the personal rights of the citizen.

But let us consider the other clause of the Constitution of the United States referred to. A million of square miles of fertile territory seems to me to be a very goodly inheritance for a people, and the territory lying south of the Potomac and the Ohio, and west of the Mississippi, claimed by the late insurrectionary chiefs, embraces more than a million of square miles, and is the most fertile region of our country. The Constitution guarantees to each and all of you, and to all other American men and women, the right to citizenship on every foot of it.

It also guarantees to all the right to communicate freely, by letter or otherwise, with any friend or acquaintance residing anywhere on that million of square miles of territory. Yet, my friends, have I been able to travel in the Southern States lately? Let me ask you whether the climate of Florida or of Texas or of South Carolina would not have been fatally insalubrious to me any day since 1856, had I ventured there. (Laughter.) Now, I will not talk about William Lloyd Garrison, because he was a "pestilent fellow," who was always insisting on Constitutional rights, while I only did it occasionally, when an election was coming off! (Laughter.)

Was it not, for years before this Rebellion broke out, dangerous for any Northern man to express, anywhere in the South, the opinion that it was a Christian duty to do unto others as you would have them do unto you? Did any clergyman, politician, statesman, or private citizen, dare to say on Southern steamboat, in railroad car, or stage, that he disapproved of human slavery, because under it you could not do unto others as you would have them do unto you? Would not the political atmosphere in which he uttered such a sentiment have been dangerous to him? In other words, no one of you could safely go there carrying your manhood with you. You had to leave that behind when you travelled South. You might have your trunk and clothing, and your bones, and the coating of flesh that covers them, but you must leave your manhood at home with your wife and children, if you wished to return. (Laughter and applause.) You might have a copy of the Constitution of the United States in every pocket of your garments, and hold out that instrument as your safeguard; but you all know that you would not have found it a very efficient protection.

Remember how it was in the case of poor Powers, the Irish-Philadelphia stone-mason. Having voted for Buchanan and Florence in the First Congressional District, he was seeking employment, and was recommended for work on the State House at Columbia, South Carolina. He went there, and had worked about three weeks when he happened to drop the remark that "Slavery cut down the wages of the white man and degraded him, and that the white working man in the South was regarded as little better than a nigger." For this offence he was stripped to the belt, as a boxer would say, and tied by the wrists; a slave was put on each side of him with a cowhide, and

he was flagellated till the blood streamed to his slippers. He was then dressed with tar and sand, and brought, by slow stages, on an open truck, for nearly a hundred miles, being detained in each town for the gaze of the multitude as a "Northern Abolitionist." Barely escaping with his life, he came back to Philadelphia. When thus treated, he pleaded in his defence the Constitution,—at least he told me that he had done so; but he found it no protection. His crime was that he had asserted that a system of unpaid labor, applied to four millions of men, degraded every other laboring man in the section of the country in which it prevailed! You have read of gentle girls decoyed from their New England homes into Southern families to act as teachers, and of their mails being scrutinized, until finally some injudicious friend sent them a copy of the *New York Tribune*, or the *Independent*, with a sermon by Beecher, or, bolder still, and more indiscreet, the *Anti-Slavery Standard*, or the *Liberator*; and you have read how the girl in such a case was turned away without wages and without guidance, but not always without stripes; for in one instance a fair and gentle maiden was treated just as poor Powers had been. I have seen a daguerreotype of the beautiful face of that daughter of old New England.

No, fellow citizens; Constitutions and laws are, in themselves, no possible guarantee or safeguard for personal liberty. Nor are they an efficient restraint on the cupidity or higher impulses of the individual. For instance, it has been felony in each of the Southern States to teach a colored person to read the Lord's Prayer or the Ten Commandments. I do not mean to say that the statutes declared it in express language a felony to teach colored persons to read these particular passages; but the law did pronounce it felony to teach colored persons to read, and this prohibition embraced the Lord's Prayer, the Ten Commandments, and the Old and New Testaments. Yet we find among the slaves, and more largely among the free people of color in the South, a very large number who can read, and a considerable number who can write. This circumstance testifies to different classes of facts. It shows, in the first instance, that there were living under the influence of that infernal system some humane people who occasionally, regardless of barbarous laws, taught a colored child. Secondly, it shows that these "brutal" colored people, who have "no intellect" "will not work" and "cannot take care of themselves," did, in spite of law, and while taking care of their masters and their masters' families, find time and facilities to learn to read.

During my recent visit to Charleston, I was startled by what sounded like an echo of my own voice, and, turning to the speaker, I found a thick-set black man, with hair knotted close to his head,— "an image of the Almighty in ebony," if ever one was cut out of that material. Before him, Samuel Dickerson, stood two little girls in plaid silk dresses, with broad-rimmed bonnets, and plaid ribbons corresponding with the dresses which they wore. Each held a bouquet, and the man a wreath. As I heard his voice, I looked over the whole place, to assure myself, and saw by his gestures and moving lips that it was this negro of the purest African blood who was saying to Wil-

liam Lloyd Garrison, who had just ascended the stand beside me, "The emotions with which I behold you, honored sir, are inexpressible;" and, having begun thus, he went on with a speech in flowing sentences that would stamp him as an orator in any assemblage. In the course of his address, he said:—"For now more than ten years, sir, it has been my privilege, at distant intervals, to be encouraged by reading your good words in behalf of my oppressed race. To you and the good people of the North, under the Constitution of the United States, and the guidance of Abraham Lincoln, I owe these dear children. First, their mother was taken; then the elder one was snatched away; and on my knees I pleaded that this little one might be left to me as a souvenir of the past. What was the reply that I received? 'Urge me no farther, or I will scatter your children to different States.'"

Somehow that man had learned to read; he had stolen that knowledge; and among many others I heard the same story. One would say, "Why, my young mistress taught me." Another would tell me, "I was on a plantation on the island, and master had me taught so that I might keep the little accounts." Thus, here and there, benevolence or selfishness had prompted some of the people of the South to violate the law which made it felony to teach a negro to read. Therefore, while I argue that constitutions and laws are not the sole safeguards, or, in themselves, any safeguards of liberty and rights, I also urge that they cannot be made the means of repressing the genius, the intellect, the aspirations of a mass of human beings. (Loud applause.)

What, then, my friends, are the safeguards of which I have promised to speak? Are they possible? Oh, yes! they are the simplest things in the world. They are popular sentiment and daily usage. Where popular sentiment is right, the laws will be just and equal, and will be maintained and enforced; and where popular usages are consistent with humanity and justice, there will be small business for the lawyer, for usage will enforce the law.

I think I hear some one say, "Oh, you have nigger on the brain, and now you are beginning to plead for the nigger!" God forbid that I should forget the existence of nearly five millions of human beings who know every sorrow that I know and every joy that I may feel, and who look through the same narrow way to enduring happiness. Thank God! I do not forget their existence, and I do not fail to plead for them. But, my white brethren, allow me to assure you that it is you for whom I am pleading now, because you are more numerous than they. The colored people of America number about five millions; the white people over twenty-five millions; and as five is worth more than one, I plead for the five, and embrace the sixth, and plead for him too. It is not the negro alone I have "on the brain;" it is him and the white man; it is mankind, and not any single race or class of men. (Applause.)

Our fathers, when they gave the world a new political system, disputed all the old foundations of government, and proclaimed new principles. They declared, first, the equal rights of all men. They

said, "We hold these truths to be self-evident, — that all men are created equal." Did they mean equal in stature, in complexion, in intellect, in morals? I answer the question by saying they were not fools, nor were they blind; they knew that men differ in all these respects. They were speaking on political subjects; they were announcing the foundation-principles of political institutions, and they proclaimed that, in respect to right, all men are equal, and are alike entitled to life, liberty and the pursuit of happiness.

Again, they denied the legitimacy of every Government then existing on the face of the globe, and laid the axe at the foundation of every throne, by affirming that the object of governments is the protection of human rights, and that they "derive their just powers from the consent of the governed;" and, further, that if any form of government violates the rights of the people, it is not only their right but their duty to reform, or, if necessary, overturn it. Upon these propositions they rested not only their defence of the Revolution they inaugurated, but the theory upon which they determined to establish their Government.

Pennsylvania, to bring her Government into harmony with these principles, in March, 1780, less than four years after that Declaration, proclaimed the emancipation of her slaves, having previously secured by constitutional provision the right of suffrage to every free man without regard to color.

Had all the States of the Union been organized on these principles, there never would have been a day when you could not have written a letter announcing the general doctrines of the Gospel into any State without bringing its recipient into bodily danger, because those doctrines would have prevailed in the South as well as in the North. If the equality of man had been recognized all over the country, there would have been no war during the last four years, because no man, not even the pardoned Rebel, denies that the war was made to perpetuate Slavery and secure the degradation of the laboring masses.

No man will tell you that our newspapers were excluded from Southern mails for any other reason than that it was feared they would endanger the system of inequality that prevailed and was cherished in the South. It was this that made it dangerous for us to travel there; it was this that fired Pennsylvania Hall; it was this that mobbed William Lloyd Garrison, and disgraced Boston by disclosing the fact that Leverett Street jail was the only place in that city strong enough for his protection. It was this doctrine of human inequality, this violation of the principles that underlie our Government, this want of harmony between our usage and prejudices on the one hand, and the theories which animate our Government, and which we all profess to believe, on the other, that disgraced us before the world, and converted what should have been our peaceful life into a restless sea of agitation, in which Constitutional safeguards were abandoned or disregarded.

Let me show you how thoroughly we, in Philadelphia, are governed to-day by a concession we made to the South years ago, in the vain hope of securing peace and prosperity by promoting injustice and

inequality; let me show you how completely we allow our prejudices, not natural, but thus engendered, to override the law of Pennsylvania; how some of us who are in this hall join in demanding that the State shall accept our prejudices as its supreme law. There is not, within the wide limits of Pennsylvania, a jurist of standing who will risk his professional character by denying that, according to the law of Pennsylvania, every man and woman who is well behaved, and can pay the fare, has a right to ride in our street cars. That is the law of the Commonwealth, as expounded by our courts; no professional man of reputation will dispute it.

We are a liberal people; as I have shown, our most cherished traditions indicate our love of human freedom and equality. We are a patriotic people; we have sent our sons and brothers, and have gone ourselves, to the war. We are a benevolent people; we have fed the soldiers of every State as they passed through our city, going to or returning from the field; and our hospitals have been attended faithfully by women (God bless them!) and by men, doing all they could for the relief of the soldier. We are a grateful people, as is evinced by the fact that we have tendered homes to two generals, and have made provision for the families of some who have died. And we are a religious people, being most of us what the world calls orthodox, believing that the unconverted soul is punished after death; but notwithstanding these high qualities, the majority of the people of Philadelphia would rather, during the whole war, have seen the colored population so justly indignant, that, instead of the eleven regiments they gave us at Camp William Penn, (applause,) they would not have given us a man; would rather see the sick and wounded suffer; would rather be branded by the world as harshly ungrateful to the maimed soldiers of the Republic; and would rather see the yawning pit of hell swarm with new-born demons, than that the sanctity of our street cars should be profaned by the presence of a colored clergyman hastening to baptize a dying infant, or a pious wife or mother hurrying to a hospital to sanctify the last moments of her dying husband or son! (Applause.)

This is the melancholy truth. There is no denying it; there is no concealing it. There is not a man among us — unless it be one like myself, who has been accustomed to riding in the cars of other cities, where all races ride together — who does not feel something of a prejudice on this subject. If you come to Washington, the capital of your country, you will get used to riding in the cars with God's children of every complexion. I make no arraignment of my native city. I love her. I cherish her for all her virtues. I boast of Philadelphia at all times; but I cannot help seeing her weaknesses. I cannot help seeing that she is immensely hypocritical, when she talks about the importance of getting religious instruction to ignorant and dying people, and will allow every white strumpet and thief whose time furnishes them with the means of paying a fare to ride in a car, and will, as she has so recently done, turn out the colored clergyman and other pious people hastening on the holiest errands of philanthropy and Christianity. (Applause.)

Are we not, in all this, traitors to our own cause and principles? Are we not giving aid and comfort to our enemies,—those who are not yet willing to accept the truths of the Declaration of Independence, or be citizens of truly democratic States? I pray you reform it altogether, and secure your own rights by protecting those of the humblest citizen of the Commonwealth. Make him secure, and your own rights can never be infringed.

This is not a mere abstract suggestion. It is the practical question of the day. The governments of the insurgent districts are to be reorganized. When States are organized, they must be districted upon the census of 1860, and they can only be restored to "their practical relations to the Union" (to borrow an expression from our late lamented President) by the admission of their representatives into the Congress of the United States; and the only manner in which you can maintain your right to citizenship and to free travel over the million of square miles of territory, is to see that their governments are organized in harmony with the truth that all men are equal before the law, and those provisions of the Constitution which guarantee the right of citizenship to the citizens of each and every State, and the right of freedom of speech and of the press. Can we do this? Yes!

But you say that President Johnson has called upon the white people only of the insurrectionary districts to reorganize State Governments. I grant it; and while I do not on that account doubt his patriotism, or assert that he has made a mistake, I know that I would not have done just so. (Applause.) If the people to whom he has committed the charge have the wisdom and sense to frame truly republican Constitutions, they will not only vindicate his wisdom, but gratify his personal wishes, for his democracy is broad enough to embrace mankind. But you ask what would you have done? I would have maintained military government long enough to have come to understand the people, and let them understand their new relations to the Government somewhat. I would, at the proper time, have had an enrolment of the people made. I would have had the oath administered to the whole people, and in doubtful cases would have taken testimony as to the loyalty of those who took the oath. When I had ascertained who were loyal, I would either, in accordance with Congressional provision to be made in the meanwhile, or in the method which has been adopted by President Johnson, have called upon the loyal people to elect delegates to a convention to frame a Constitution. This would have been in accordance with ancient precedent, so far as precedent exists, for the Fathers recognised every man who fought and paid taxes as a citizen.

You can nowhere find in the Constitution any thing like a discrimination between white and black. When it was adopted, the colored freeman was a voter in every State in the Union except South Carolina. It is denied that he was such in Virginia and Delaware, where the exercise of suffrage was regulated by legislative provision; but their Bills of Rights covered the case, and I have proof, abundant and perfect, that negro suffrage was practised in Delaware. It never was meant by our fathers of the Revolutionary and Constitutional

era that freemen should be excluded from the exercise of suffrage by reason of color. I would, therefore, have gone back to Revolutionary times for my precedent; I would have taken the Declaration of Independence and the Constitution of the United States as my guide, and would have allowed all loyal men over twenty-one years of age to vote. (Applause.)

You may say that the President has submitted the question to the pardoned Rebels. I grant you that he has, and I fear, as I have already said, that in this he has made a mistake; but if so, it is not necessarily a fatal one. If those gentlemen should be so far enlightened as to fashion constitutions giving the suffrage to every man, white or colored, who can read, or read and write, I shall take no exception, because every man among them who has any ability can, in one year, learn to read and write. The colored people sit with humility at the feet of any child, or man or woman, who will teach them. If the whites who have been reared in ignorance, and taught that all labor is disgraceful and education unnecessary, will not learn, let them be excluded with black men who may choose to remain in ignorance.

If the colored citizens do not learn when the opportunity shall be afforded, let them be excluded, but let the law be just and its restrictions apply equally to all. Men who are ignorant can learn; men who are poor, if we secure their right to acquire land by purchase and under the homestead law in the South, can and will acquire wealth. Whatever, therefore, be the rule, let it, I repeat, apply equally to all. (Applause.) I would, were the matter submitted to me, give the poor and ignorant the right to vote; the strong, the wise, the wealthy man, can take care of himself. It is the poor and the ignorant who need the suffrage to protect themselves.

Again, throw the mass of the poor and ignorant people into the voting population, and the wise, the wealthy, the powerful, will see that they must establish a system of public education; for if they allow ignorance and vice to prevail around them, ignorance and vice may legislate away their rights and property. Thus it is that the North takes its poor children from the gutters and the purlieus of the city and educates them; and those who enter our schools in poverty and weakness often leave with minds enlightened and enlarged, and finally go to the grave men of wealth, their names and honorable achievements recorded in history. I would say, give the suffrage all over the country to the poor and the ignorant, and so constrain the wealthy and powerful to look to the welfare of the poor and the ignorant.

And still again, I would, as a purely selfish measure, take the poor blacks into our political family. Let me illustrate my meaning. You are sick, bleeding, torn; thieves and robbers have been upon you, as they have been upon our country for four years. You have two persons to choose between. On the one hand you have a friend—poor, ignorant, but who knows there is a God and who fears his punishments—who instinctively clung to you through all the time when the robbers were stripping and assaulting you—who, in spite of his poverty and ignorance, has been willing to lay down his life for you. On the other hand, you may seek the aid of a man stronger than you

are of great intelligence and learning,—acute, powerful, unscrupulous,—fearing neither God, man, nor the devil. You must put your life in the hands of one or the other. Which will you choose? I would take the poor and ignorant friend, and would try, with his aid, to keep the powerful enemy off; and that is what you must do in the South. (Applause.) You must either take the poor, ignorant masses, who, during the war, have been your friends; have fed you in hospitals, have released you from prisons, have piloted you by night through marshes and woods, and have been ready to lay down their lives for you, (enthusiastic cheers,) or you must take the brothers and friends and associates of John C. Breckinridge and Jefferson Davis as your rulers; for such, by the aid of Northern sympathizers, they will be. For myself, as God is my judge, I will never consciously cast a vote in the American Congress that shall favor the admission of a representative from a reconstructed State under an oligarchic or aristocratic Constitution. (Great and long-continued applause.)

I have said, my friends, that I am pleading our own cause. I will not insult these kind people of African descent who are here to-night by pretending that I am pleading for them alone. I do not wish them to think, as one did when I spoke here last, that I mean to throw contempt upon them when I say that I am not pleading for them. I do embrace them in the plea which I make; but, as I have said, I regard five as more than one, and I wish them to understand that I plead for ourselves; for the Almighty has so inextricably interwoven the duty of justice to them with our own welfare, that in pleading with you to extend justice to them, I plead with you to promote your own peace, prosperity and happiness,—nay, to guarantee your own freedom here in Philadelphia.

“Why,” you may say, “the slavery question is settled, and our fathers banished it from this State.” I know that slavery, in name, is ended; but you may change the name without changing the thing. If you leave four millions of laboring people at the South without the right to testify in open court, without the right to make a contract as any other person may, without the right to free education, such as is enjoyed by the children of Northern laboring people, you, in fact, leave slavery there. You surrender those four millions of laboring people and their posterity to be preyed upon by aristocratic capitalists and used as instruments for degrading whatever other millions of laboring men and women may go to dwell among them.

The negro question, if left in this condition, will be in the future what the slavery question has been in the past. But, under the new state of circumstances, more of the colored people will rise up than could under the Fugitive Slave Law, to make known their wrongs, and to appeal to the hearts of the wise, the humane and the just of the North. Thus we shall live in a state of constant agitation, more intense than it has been in the past. The negro question will be used by unprincipled demagogues to mis-govern us in Philadelphia, as the slavery question has been to our great detriment. Do you know, you young ladies, who graduated in the Girls' High School of this city, why Cleveland's unequalled “Compendium of English Literature”

was taken from you as a class book? That work was excluded from the school, and the city of Philadelphia put to the expense of buying new books for all those who had used it. Why? Because Professor Cleveland had dared to insert a foot-note in favor of freedom! This happened in the Philadelphia schools less than six years ago. A text-book which England or America has not equalled was taken from our daughters, and the city of Philadelphia put to the expense of buying entire new sets of an inferior work, because that Philadelphia book contained a foot-note against slavery! If we are to continue the negro question as a subject of agitation, the compilers of other school books may chance to say something in favor of the negro, and their excellent works be hustled out of our schools, because they might offend our Southern brethren, who have come here to buy our dry goods, books and political principles! (Laughter and applause.)

There is not a girl or boy in the schools of Philadelphia who had not in this and other matters been defrauded of essential educational rights by our subserviency to the spirit of the South. We must not let the negro question enter our schools in that form again. I would rather see it stalk in in the form of the darkest-hued negro in the world, than feel that my children were slaves to the ex-slave owners of the South.

Have you in your libraries an American edition of Campbell's poems, published since 1854? If, in purchasing it, you inquired of the bookseller whether it was a complete edition, you were probably told that it was, that it contained all his poems, including the fugitive and minor pieces—everything that Campbell ever wrote. Yet in no recent American edition of the works of that poet can you find these lines:

Two emblems, one of justice,
Alas! the other that it bears,
Reminds us of your shame,
—our standard, a constellation types,
White freedom by its stars,
But what's the meaning of the stripes?

It is quite as well for the American purchasers of Campbell's poems to know how we were answered by the writer of some of the best poems in our language for our want of fidelity to our professed principles. The insertion of these verses in any American publication could have done the citizen or country no harm, but it might have affected the Southern sale of the book. Therefore, although the South would not buy one copy to our fifty, we Northern publishers cheated. The South was our master and must be respected. But again, are you an Abolitionist? If so, have you ever seen the prayer-book, embellished with that same constellation of stars and stripes? Have you ever seen any Southern edition of “*Christus Consolator*”? I have read before it in the heart and penetrated and inspired by the great lessons of the Christian

