

Charles F. Fitch:

Dear Sir: You ask me to ^{"outline your (my) ~~state~~ ~~the~~ ~~power~~"} put arguments ~~about~~ ^{why} the Federal Government should interfere ~~with~~ in the Negro Question.

Your inquiry is so vaguely and loosely stated that I am unable to gather its specific purport. I have never made any argument in favor of the Federal government "interfering" in the Negro Question. In fact, I do not know what you mean by the "Negro Question," nor what is covered by the ~~term~~ phrase "interfere in." If I fail to meet your requirement, therefore, you must blame your own inaccuracy.

~~I trust~~ There are several phases of what might, ^{perhaps} be termed the Negro Question, in regard to which the Federal Government might be said to be called on to "interfere," though why it should be termed "interference" I am at a loss to understand. If your life ~~or~~ is threatened or your liberty

restricted by ~~you~~ virtue of a judgment of a state court, being a citizen of the United States you may apply for a writ of Habeas Corpus alleging that such judgment on imprisonment was in conflict with your legal or constitutional rights as a citizen of the United States. The federal courts hear and determine your plea because the government of the United States has guaranteed to every citizen certain rights which it professes and of right ought to maintain and defend. This ~~you~~ would not be called "interference" if you were a white man; but if you chance to be a colored man, the assertion of your rights as a citizen of the United States, will probably be termed "federal interference".

Up to the 28th of July 1868 no colored man could be a citizen of the United States and he was, therefore, entitled to no rights, privileges or immunities as such. See the opinions in the case of Dred Scott v. Sandford, 19 Howard, 393 et seq. This was the settled law of the United States until the adoption of the XIVth Amendment of the Constitution of the United States.

This amendment for the first time gave a constitutional definition of National citizenship, and provided

This made every colored man who was born or naturalized in the United States a citizen just the same as if he were white.

This ^{amendment} devolved upon the Government of the United States two specific duties; (1) the duty to protect him in his natural inherent rights, which before that time had attached to ^{the} white citizenship citizens of the United States. (2) To defend all citizens against certain specific encroachments on their rights mentioned in said amendment; to wit: (a) No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; (b) Nor shall any state deprive any person of life, liberty or property without due process of law; (c) Nor deny to any person within its jurisdiction, the equal protection of the laws.

Congress was empowered to provide laws to carry ^{the} rights ^{of} effect. Now, if any state seeks by law to deprive any citizen or class of citizens of any of the inherent rights guaranteed him or such, or to deprive him of any privilege or immunity attaching to him as such citizen, or deprives him of life, liberty or property without due process of law, or denies him the equal protection of the laws, it becomes the bounden duty of the United States to protect his life, secure his privileges and immunities and remedy the denial of equal protection.

The foundation and security of all rights and privileges of a citizen of the United States is free speech, ~~the~~ freedom of political organization and action. This is just as well unknown at the South, except in a few limited areas as in Russia or Siberia.

Seven colored men were burned at the stake in the Southern States last year; two were flayed alive; 131 were hanged by mobs and more than 1000 were killed. Only two men were punished for all these crimes - one by judgment of a court one by a mob.

The colored citizens of all the Southern States except Kentucky were enfranchised, first by act of Congress and afterwards by the several State constitutions. When a man has once become a voter ~~it~~ it becomes a personal right attaching to him and not to be diverted by any authority except for crime. This right was secured to the newly enfranchised voters by the XVth Amendment. In every State of the South this privilege of right has been abridged and denied both by law and by violence.

The ground taken by those who believe American citizenship something more than a mere sham and pretence is, that under

these provisions, whenever the inherent rights or privileges and immunities of a citizen or class of citizens of the United States, are abridged or invaded by the action of the state, or the state fails to give them full protection in their exercise and enjoyments, it is the duty of the United States to provide for the efficient protection of the same.

One of the rights of every citizen who is a ^{legal} voter is to cast a free ballot both in state and national elections.

The National elections are (1) For electors for President and Vice President (2) For members of Congress. The claim of those who do not believe in murder, intimidation and perjury as proper substance elements of a political conflict, is that the Government of the United States if any class of citizens believe their right and privileges in connection therewith are in danger from lack of sufficient due

enforcement of the law by ~~state~~ the state authorities, should be under Federal supervision and the courts of the United States should have cognizance of offences committed against the ~~freedom~~ freedom of the ballot and ~~due return~~ false return of the result.

The argument against this view, stated in brief, is, that while the states are prohibited from doing these several acts by law, the people of the various states, individually or by tens or twenties or hundreds or thousands, may do these things in defiance of law, and the government of the United States has no right to "interfere" either to protect its citizens or punish those who deprive them of life, liberty or the exercise of their legally vested rights. In other words, "the state government ~~can~~ refuses to "interfere" to punish murder, prevent violence, secure freedom of speech

on a free ballot and a fair count,
men may murder citizens, ~~for~~
prohibit political discussion, drive
voters from the polls, and take
the power from the majority and
give it to a minority, in any
State or Congressional District
and the Federal government ~~shall~~
neither protect its citizens
nor secure a just representation
in the national legislature nor a
fair election of the Chief Executive

There are the arguments for ^{extending} Na-
tional protection to National citi-
zens whether black or white in the
due exercise and peaceful en-
joyment of their rights as such.

There are certain moral rea-
sons why the Government of the
United States, should provide out
of its abundant prosperity for
the elementary education of the
colored race. They are in brief,

as follows:

- 1- Slavery existed in the United States by virtue of national law, authority, and protection.
- 2- It was the sum of all possible wrongs to the individual. It deprived the slave of every right of man and was an injustice which devolves upon the people the duty by which it was sustained the duty of making all possible reparation.
- 3- Slavery denied the slave every opportunity for self-improvement or development. It was a crime ~~for him~~ to teach him to read or write. The Nation owes it to common justice to give his children the opportunity it ~~denied him~~ prevented him from enjoying.
- 4- The Nation took the proceeds of his unrequited labor for ~~for~~ two hundred and fifty years his sweat, ^{and blood} was turned into money and became part of our national wealth. There is no law of God or man that one owe such debts.
- 5- If it had not been for the aid the colored man extended to

the Nation in the War of Rebellion
the Confederacy would have a
place on the map of the world
today. They gave 225,000,
soldiers whose loss in battle
was exceptionally great and aid,
comfort, guidance to every
man and armies everywhere.
A ~~Nation~~ ^{Country} that forgets such ser-
vices is not fit to occupy a
place among the Nations of
the earth.

These subjects are fully
discussed in my works
especially - A Fool's Errand,
Bricks without Straw, An Appeal
to Caesar and Pactus Prime,
and in the Pamphlet "Is Liberty
Worth Preserving?" which I send
herewith. During the past two
years almost continuously
and during three years before
very frequently, some please

of this subject has been discussed
by me in the ~~Saturday~~
"Bystander's Notes" published in
the Chicago Inter Ocean ^{each} Sat-
urday and reprinted in the
weekly and semi-weekly edi-
tions of that journal. If there
is any phase of the Negro ques-
tion that I have not discussed
in those five years I do not
know ~~to~~ what it is.

I am glad young men are
turning their attention to this most
important subject but can but
regret ~~that~~ the profound ignorance
^{and apathy} manifested in regard to it which
alone ~~could~~ demand of one
who has written so much which
is accessible to all upon the subject
the labor of rehashing and briefing
the same for your benefit. If I
may be permitted to indulge one reflection
of my own, I should question whether

modern educational methods which lead
the student to expect his intellectual ^{work} ~~work~~
to be ~~checked~~ ^{checked} and fully prepared
for digestion by others instead of requiring
him to prepare himself by careful ~~investigation~~
~~work and laborious~~ observation of daily ~~events~~
events and thoughtful deduction therefrom
is not likely to prove deleterious to the
country whose interests they will
be charged with tomorrow.

Feb. 28/1892

Sincerely yours
A. M. P.