

The National Citizens' Rights Association.

ALBION W. TOURGEE.

President.

Mayville, N. Y., May 26th, 1892.

Prof. Jencks:

My dear Sir: I find in several press dispatches of your lecture before the University Extension Society at Albany recently, the following:

"He said that history and science seem to show that the Negro is of an inferior race and incapable of advanced civilization. When left to themselves, experience showed that the Negroes rapidly retrograded from a higher civilization to a state of barbarism. In the reconstruction period, the Negro governments of the South invariably ran the States heavily in debt and passed shameful and oppressive laws against the whites. In places where they have advanced, the advancement is so slight as to show them almost as careless and improvident as the savage."

I would be glad to know whether this dispatch correctly represents you. It is as you are aware, radically opposed to the views I entertain after more than a quarter of a century devoted mainly to the investigation and study of current condition of the race.

Of course, you may be right and I may be wrong. I am old enough to have learned that the most careful and extended study, especially of socio-political questions is very far from assuring any man's infallibility. I believe I wish to know the truth--God's truth--and am willing to accept it whatever it may be; but I cannot accept mere statements, however positive nor can I believe that superficial study of unrelated phenomena is a secure basis for scientific conclusions.

I do not believe that it is scientifically decided that the

The National Citizens' Rights Association.

ALBION W. TOURGEE.

President.

Mayville, N. Y.,

1892.

Negro is inferior to the white man because I know of no scientific formula by which superiority and inferiority may be determined. Defective intellection may no doubt be often determined by scientific examination, but not intellectual quality.

Again, if it were true that the Negro was inferior to the white man originally, the peculiarity which distinguishes the human family from all other animals, is a capacity to outgrow initial attributes, not by the slow process of natural selection alone, but by reason of their moral and physical environments. The instances are numerous in which the offspring of the most degraded stocks, spring to the very front rank of intelligence and power in a single generation. The development of the Irish American from the bog-trotter is an instance in point.

If therefore, the fact of original inferiority was demonstrable what shall be said of the application of this doctrine to the American Negroes, nine-tenths of whom, according to the last census, show evident traces of white blood, and of whom a noted ^{slave-}Negro-trader declared that he "doubted if so many as a thousand pure blooded Africans were to be found in the whole country."

It must be remembered, too, that not a single indication of barbarous tendency has been shown by ^{the} colored man of the United States. He has kept the peace--no riot or bloodshed has been inaugurated by him since his emancipation, and during that time he has made far greater proportionate progress in civilization, in wealth, in education and in manhood, than the "poor-whites" of the South who stand

The National Citizens' Rights Association.

ALBION W. TOURGEE

President.

— 918 —

Mayville, N. Y.,

1892.

nearest him in lack of opportunity and previous attainment.

You say, "in the reconstruction period the Negro governments of the South invariably ran the States heavily into debt."

Is this a racial quality? How many of the States had "Negro" governments? What constitutes a "Negro" government?

Does financial mismanagement of public affairs imply racial inferiority?

If so what shall be said of the people of New York who during

those very years lost more by Tweed and Tammany than any Southern

State by "Negro" government. What shall be said of the noblest monu-

ment ever reared to corruption, the capitol in which you spoke, which

has cost \$20,000,000, and by the judgment of experts might be dupli-

cated for \$5,000,000, and a better one built for \$4,000,000? Nay, what

shall be said of the people who inaugurated the war of rebell-

ion, by which virtually the ^{entire} accumulations of generations were wiped out

in four years of useless ^{Financial mismanagement} strife? Economical management of public af-

airs is not held to imply incapacity in the white race, why should

it in the colored?

But you say these "Negro" governments also passed "shameful

and oppressive laws against the whites."

To this statement you lend not only your own name, but also the

repute of a great university and, to a certain extent, the much abus-

ed name of science. When the American people read the words of a

"Professor" upon any subject, they naturally expect the highest de-

gree of accuracy in connection therewith. I had supposed that I had

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

Mayville, N. Y., 1892.

Some familiarity with the legislation of that period. For seven years (1868 to 1875) a Judge of the Courts of a Southern State; for three years engaged in the revision of her laws as Code Commissioner; during fifteen years (1865 to 1880) a careful student of my profession in one of these States; an active member of two Constitutional conventions (1868 and 1875); and the author of at least two standard works upon the laws of the State, I had entertained the impression that I had some knowledge of the legislation of the Reconstruction period. I am wholly unable to recall any shred of legislation of that time which was either "shameful" or "oppressive to the whites, unless you consider the grant of equal privileges to colored citizens to be "shameful" and the taxation "oppressive". Nor do I know a single writer, newspaper editor or stump-speaker of that time who made such allegation.

It is quite true they did regard and allege as oppressive certain legislation,--but I cannot conceive that a representative of Cornell University, engaged in lecturing for the sake of "University extension" in New York could lend himself to spread false impressions even to create political capital or seek the favor of the oppressor by falsely assailing the weak. That portion of the Southern people who were opposed to the equal citizenship of the colored man, did indeed denounce as "shameful and oppressive" certain legislation which was deemed not only just but absolutely essential to the establishment of free institutions. The first of these laws which was deemed "shameful and oppress

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

Mayville, N. Y.,

1892.

ive" by them was that which permitted a colored man or woman to testify against a white man or woman in civil or criminal matters. One would hardly expect it, but this proposition met with the fiercest denunciation. Another "shameful and oppressive" law was that which opened the jury-box to the colored man.

It was still worse to permit him to approach the ballot-box. The rejection of the old presumption that impudent language from a colored man excused an assault by a white man was also considered very oppressive.

I do not recall, however, so much as a scrap of legislation drawing any distinction between the races or establishing any discrimination against the white people and in favor of the colored people in any of these States, and very much doubt if any such can be produced. If you know of any such, I shall be most happy to be cited to it.

It seems to me, that if you had intended to be quite fair in applying the test of racial equality, you ought to have at least mentioned the legislation of that epoch which tends to reflect credit upon the "Negro" governments, as you call them, as well as discredit. I admit that so much injustice is hardly to be expected. The white man when he discusses either the Negro's right or capacity, is sadly inclined to insist on all that militates against him and to preserve an impenetrable silence in regard to everything that makes in his favor. To my mind, the character of the legislation of that epoch is

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

— 94 —

Mayville, N. Y.,

1892.

a very strong argument in favor of the civic capacity of the Negro who gave the same his assent and support in the first moment of his exercise of the powers of the citizen.

Among these acts of beneficent legislation, all of which were bitterly opposed by those who insisted on the Negro's incapacity for self-government, I might name:

1--The establishment of free public schools. Such a thing was never known in the law of any Southern State until put there by Negro-votes in 1868.

2--The abolition of whipping, branding, clipping, maiming and other barbarous forms of punishment.

3--The reduction of the number of capital crimes from SEVENTEEN to two or three.

4--The establishment of local elective township governments in stead of the appointive despotisms by which the people had previously been governed.

5--The abolition of property-qualifications of voters and office-holders.

6--The abolition of property qualification for jurors, referees and special commissioners.

I might name many others but these were common to all the States and establish beyond question this fact that never in her whole history did the South or any single State of the South, advance so rapidly in that legislation which the world over, has been the basis of free government, civilization and equal

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

Mayville, N. Y.,

1892.

justice to all.

One thing more, I wish to state: as in the legislation, so in the administration and judicature of that era there was an absence of all spirit of revenge which is unprecedented in history and is all the more remarkable because the wrongs which for two hundred and fifty years had been heaped upon the subject race were of the most inconceivably atrocious character, as any one may know who will read the Slave Codes of the Ante-bellum period and reflect that no people is ever as merciful to the oppressed as its laws enjoin them to be. No man was deprived of his life, liberty or property through oppressive laws or oppressive conduct of public officials. There was neither riot nor sedition instigated by the colored people, but the only violations of the public peace were those directed against the lives and persons and property of the colored citizenship and their friends. For every white man who has been killed by a colored man since the close of the war, at least ten colored men have fallen victims to the white man's irrepressible desire to demonstrate the superiority of his race, to promote civilization and secure Christianity from peril of extinction by "killing a nigger."

In all those twenty-seven years but three possibly four white men have been executed at the South for the murder of a colored person, and not one white man has been punished for the ravishment or seduction of a colored woman.

I do not think these things should be left out of the account when estimating the character and value of the Negro as a citizen.

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

Mayville, N. Y., 1892.

Industrially, he raises about all that is raised at the South except hell, and costs less to govern and maintain, than any other class of equal numbers in our population.

His morals are exactly what white Christianity law taught him. They forbade him by law to have a wife or legitimate children; to defend his home, his person or any woman's honor. A white Christian civilization, which for two centuries and a half maintained by force of law a house of prostitution and enforced illegitimacy which at length amounted to five millions compelled to legal promiscuity and without defense or redress against the white man's added lust--such a people should at least have shown enough to be silent a century about the Negro's want of chastity.

One thing can be said in favor of his moral quality and Christian decency--he never enacted a law denying to any race or class the right of legal marriage nor mocked the Christian's God by making the marriage ordinance the cover for a union not intended to be permanent or valid.

I trust you will pardon this letter. The injustice of the utterances ascribed to you and the peculiar prominence that has been given them by reason of your position as an educator must be my excuse for troubling you with any words of mine.

I am too well aware how easy it is to be unjust to the weak and how unpopular it is to protest against a wrong done to an inferior(?) to expect to secure justice from white Christianity who mocks at the pet theories of science, writes His immutable edicts

The National Citizens' Rights Association.

ALBION W. TOURGEE,
President.

Mayville, N. Y., 1892.

in blood and writes them so large that even the American people cannot fail to read. A half century ago, Science, Christianity and the Constitution of the United States, were the three main pillars on which Slavery rested with all its horrors. Today, Science is voluntarily harnessing itself to the same Juggernaut car of oppression, and declaring that ~~God's laws of life civilization is merely that~~ *that* God's laws of life, of civilization, is merely that which rules the destiny of the brute--"the survival of the fittest." It would have us believe that Society, Government, Religion--even God himself, are powerless before man's inclination to oppress; before lust, brutality and barbarism. They would have the world believe that ~~the~~ because the Negro is black, the white Caucasian has the right to rule over him and that it is his destiny to subject and destroy him. To such a doctrine you have done somewhat to link more closely the name of Cornell. God grant that they who teach our young men may learn that there is a truth more beautiful than that which governs the brute's existence and that two elements of it are justice, equal right and equal opportunity for all the children of our common Father--not to be measured by race or color, but by the law of human conduct given by Mary's Son on Olivet.

Sincerely yours,