

Neglected Voices

Speeches of African-American Representatives Addressing the Civil Rights Bill of 1875

Representatives James T. Rapier and Alonzo J. Ransier, responding on June 9, 1874, to Representative Lamar's argument that the Bill was unnecessary because Blacks already had equal civil rights:

Mr. RAPIER. Mr. Speaker, I had hoped there would be no protracted discussion on the civil-rights bill. It has been debated all over the country for the last seven years; twice it has done duty in our national political campaigns; and in every minor election during that time it has been pressed into service for the purpose of intimidating the weak white men who are inclined to support the republican ticket. I was certain until now that most persons were acquainted with its provisions. That they understood its meaning; therefore, it was no longer to them the monster it had been depicted, that was to break down all social barriers, and compel one man to recognize another socially, whether agreeable to him or not.

I must confess it is somewhat embarrassing for a colored man to urge the passage of this bill, because if he exhibit an earnestness in the matter and express a desire for its immediate passage, straightway he is charged with a desire for social equality, as explained by the demagogue and understood by the ignorant white man. But then it is just as embarrassing for him not to do so, for, if he remain silent while the struggle is being carried on around, and for him, he is liable to be charged with a want of interest in a matter that concerns him more than any one else, which is enough to make his friends desert his cause. So in steering away from Scylla I may run upon Charybdis. But the anomalous, and I may add the supremely ridiculous, position of the negro at this time, in this country, compel me to say something. Here his condition is without a comparison, parallel alone to itself. Just think that the law recognizes my right upon this floor as a law-maker, but that there is no law to secure to me any accommodations whatever while traveling here to discharge my duties as a Representative of a large and wealthy constituency. Here I am the peer of the proudest, but on a steamboat or car I am not equal to the most degraded. Is not this most anomalous and ridiculous?

What little I shall say will be more in the way of stating the case than otherwise, for I am certain I can add nothing to the arguments already made in behalf of the bill. If in the course of my remarks I should use language that may be considered inelegant, I have only to say that it shall be as elegant as that used by the opposition in discussing this measure; if undignified, it shall not be more so than my subject; if ridiculous, I enter the plea that the example has been set by the democratic side of the House, which claims the right to set examples. I wish to say in justice to myself that no one regrets more than I do the necessity that compels one to the manner born to come in these Halls with hat in hand (so to speak) to ask at the hands of his political peers the same public rights they enjoy. And I shall feel ashamed for my country if there be any foreigners present, who have been lured to our shores by the popular but untruthful declaration that this land is the asylum of the oppressed, to hear a member of the highest legislative body in the world declare from his place, upon his responsibility as a Representative, that notwithstanding his political position he has no civil rights that another class is bound to respect. Here a foreigner can learn what he cannot learn in any other country, that it is possible for a man to be half free and half slave, or, in other words, he will see that it is possible for a man to enjoy political rights while he is denied civil ones; here he will see a man legislating for a free people, while his own chains of civil slavery hang about him, and are far more galling than any

the foreigner left behind him; here will see what is not to be seen elsewhere, that position is no mantle of protection in our "land of the free and home of the brave;" for I am subjected to far more outrages and indignities in coming to and going from this capital in discharge of my public duties than any criminal in the country providing he be white. Instead of my position shielding me from insult, it too often invites it.

Let me cite a case. Not many months ago Mr. Cardoza, treasurer of the State of South Carolina, was on his way home from the west. His route lay through Atlanta. There he made request for a sleeping berth. Not only was he refused this but was denied a seat in a first-class carriage, and the parties went so far as to threaten to take his life because he insisted upon his rights as a traveler. He was compelled, a most elegant and accomplished gentleman, to take a seat in the dirty smoking-car, along with the traveling rabble, or else be left to the detriment of his public duties.

I affirm, without the fear of contradiction, that any white ex-convict (I care not what may have been his crime, nor whether the hair on the shaven side of his head has had time to grow out or not) may start with me today to Montgomery, that all the way down he will be treated as a gentleman, while I will be treated as the convict. He will be allowed a berth in a sleeping-car with all its comforts, while I will be forced into a dirty, rough box with the drunkards, apple-sellers, railroad hands, and next to any dead that may be in transit, regardless of how far decomposition may have progressed. Sentinels are placed at the doors of the better coaches, with positive instructions to keep persons of color out; and I must do them the justice to say that they guard these sacred portals with a vigilance that would have done credit to the flaming swords at the gates of Eden. Tender, pure, intelligent young ladies are forced to travel in this way if they are guilty of the crime of color, the only unpardonable sin known in our Christian and Bible lands, where sinning against the Holy Ghost (whatever that may be) sinks into insignificance when compared with the sin of color. If from any cause we are compelled to lay over, the best bed in the hotel is his if he can pay for it, while I am invariably turned away, hungry and cold, to stand around the railway station until the departure of the next train, it matters not how long, thereby endangering my health, while my life and property are at the mercy of any highwayman who may wish to murder and rob me.

And I state without the fear of being gainsaid, the statement of the gentleman from Tennessee to the contrary notwithstanding, that there is not an inn between Washington and Montgomery, a distance of more than a thousand miles, that will accommodate me to a bed or meal. Now, then, is there a man upon this floor who is so heartless, whose breast is so void of the better feelings, as to say that this brutal custom needs no regulation? I hold that it does and that Congress is the body to regulate it. Authority for its action is found not only in the fourteenth amendment to the Constitution, but by virtue of that amendment (which makes all persons born here citizens,) authority is found in article 4; section 2 of the Federal Constitution, which declares in positive language "that the citizens of each State shall have the same rights as the citizens of the several States." Let me read Mr. Brightly's comment upon this clause; he is considered good authority, I believe. In describing the several rights he says they may be all comprehended under the following general heads: "Protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; the right of a citizen of one State to pass through or to reside in any other State for purposes of trade, agriculture, professional pursuits, or otherwise."

It is very clear that the right of locomotion without hinderance and everything pertaining thereto is embraced in this clause; and every lawyer knows if any white man in *ante bellum* times had been refused first-class passage in a steamboat or car, who was free from any contagious disease, and was compelled to go on deck of a boat or into a baggage-car, and any accident had happened to him while he occupied that place, a lawsuit would have followed and damages would have been given by any jury to the plaintiff; and whether any accident had happened or not in the case I have referred to, a suit would have been brought for a denial of rights, and no one doubts what would have been the verdict. White men had rights then that common carriers were compelled to respect, and I demand the same for the colored men now.

Mr. Speaker, whether this deduction from the clause of the Constitution just read was applicable to the negro prior to the adoption of the several late amendments to our organic law is not now a question, but that it does apply to him in his new relations no intelligent man will dispute. Therefore I come to the national, instead of going to the local Legislatures for relief, as has been suggested, because the grievance is national and not local; because Congress is the lawmaking power of the General Government, whose duty it is to see that there be no unjust and odious discriminations made between its citizens. I look to the Government in the place of the several States, because it claims my first allegiance, exacts at my hands strict obedience to its laws, and because it promises in the implied contract between every citizen and the government to protect my life and property. I have fulfilled my part of the contract to the extent I have been called upon, and I demand that the Government, through Congress do likewise. Every day my life and property are exposed, are left to the mercy of others, and will be so as long as every hotel-keeper, railroad conductor, and steamboat captain can refuse me with impunity the accommodations common to other travelers. I hold further, if the Government cannot secure to a citizen his guaranteed rights it ought not to call upon him to perform the same duties that are performed by another class of citizens who are in the free and full enjoyment of every civil and political right.

Sir, I submit that I am degraded as long as I am denied the public privileges common to other men, and that the members of this House are correspondingly degraded by recognizing my political equality while I occupy such a humiliating position. What a singular attitude for law-makers of this great nation to assume, rather, come down to me than allow me to go up to them. Sir, did you ever reflect that this is the only Christian country where poor, finite man is held responsible for the crimes of the infinite God whom you profess to worship? But it is; I am held to answer for the crime of color, when I was not consulted in the matter. Had I been consulted, and my future fully described, I think I should have objected to being born in this gospel land. The excuse offered for all this inhuman treatment is that they consider the negro inferior to the white man, intellectually and morally. This reason might have been offered and probably accepted as truth some years ago, but no one now believes him incapable of a high order of culture, except someone who is himself below the average of mankind in natural endowments. This is not the reason as I shall show before I have done.

Sir, there is a cowardly propensity in the human heart that delights in oppressing somebody else, and in the gratification of this base desire we always select a victim that can be outraged with safety. As a general thing the Jew has been the subject in most parts of the world; but here the negro is the most available for this purpose; for this reason in part he was seized upon, and not because he is naturally inferior to any one else. Instead of his enemies believing him to be incapable of a high order of mental culture, they have shown that they believe the reverse to be true, by taking the most elaborate pains to prevent his development. And the smaller the caliber of the white man the more frantically has he fought to prevent the intellectual and moral progress of the negro, for the simple but good reason that he has most to fear from such a result. He does not wish to see the negro approach the high moral standard of a man and gentleman.

Let me call your attention to a case in point. Some time since a well dressed colored man was traveling from Augusta to Montgomery. The train on which he was stopped at a dinner-house. The crowd around the depot seeing him well dressed, fine-looking, and polite, concluded he must be a gentleman, (which was more than their righteous souls could stand,) and straightway they commenced to abuse him. And, sir, he had to go into the baggage-car, open his trunks, show his cards, faro-bank, dice, & c., before they would give him any peace; or, in other words, he was forced to give satisfactory evidence that he was not a man who was working to elevate the moral and intellectual standard of the negro before they would respect him. I have always found more prejudice existing in the breasts of men who have feeble minds and are conscious of it, than in the breasts of those who have towering intellects and are aware of it. Henry Ward Beecher reflected the feelings of the latter class when on a certain occasion he said: "Turn the negro loose; I am not afraid to run the race of life with him." He could afford to say this, all white men cannot; but what does the other class say? "Build a Chinese wall between the negro and the school-house, discourage in him pride of

character and honest ambition, cut him off from every avenue that leads to the higher grounds of intelligence and usefulness, and then challenge him to a contest upon the highway of life to decide the question of superiority of race." By their acts, not by their words, the civilized world can and will judge how honest my opponents are in their declarations that I am naturally inferior to them. No one is surprised that this class opposes the passage of the civil-rights bill, for if the negro were allowed the same opportunities, the same right of locomotion, the same rights to comfort in travel, how could they prove themselves better than the negro?

Mr. Speaker, it was said, I believe by the gentleman from Kentucky, [Mr. Beck,] that the people of the South, particularly his State, were willing to accord the colored man all the rights they believe him guaranteed by the Constitution. No one doubts this assertion. But the difficulty is they do not acknowledge that I am entitled to any rights under the organic law. I am forced to this conclusion by reading the platforms of the democratic party in the several States. Which one declares that that party believes in the constitutionality of the Reconstruction Acts or the several amendments? But upon the other hand, they question the constitutionality of every measure that is advanced to ameliorate the condition of the colored man; and so skeptical have the democracy become respecting the Constitution, brought about by their unsuccessful efforts to find constitutional objections to every step that is taken to elevate the negro, that now they begin to doubt the constitutionality of the Constitution itself. The most they have agreed to do, is to obey present laws bearing on manhood suffrage until they are repealed by congress or decided to be unconstitutional by the Supreme Court.

Let me read what the platform of the democratic party in Alabama has to say on this point:

The democratic and conservative party of the State of Alabama, in entering upon the contest for the redemption of the State government from the radical usurpers who now control it, adopt and declare as their platform--

1. That we stand ready to obey the Constitution of the United States and the laws passed in pursuance thereof, and the constitution and laws of the State of Alabama, so long as they remain in force and unrepealed.

I will, however, take the gentleman at his word; but must be allowed to ask if so why was it, even after the several amendments had been officially announced to be part of the Federal Constitution, that his State and others refused to allow the negro to testify in their courts against a white man? If they believed he should be educated (and surely this is a right) why was it that his school-houses were burned down, and the teachers who had gone down on errands of mercy to carry light into dark places driven off, and in some places killed? If they believe the negro should vote, (another right, as I understand the Constitution,) why was it that Ku-Klux Klans were organized to prevent him from exercising the right of an American citizen, namely, casting the ballot--the very thing they said he had a right to do?

The professed belief and practice are sadly at variance, and must be intelligently harmonized before I can be made to believe that they are willing to acknowledge that I have any rights under the Constitution or elsewhere. He boasts of the magnanimity of Kentucky in allowing the negro to vote without qualification, while to enjoy the same privilege in Massachusetts he is required to read the constitution of that State. He was very unhappy in this comparison. Why, sir, his State does not allow the negro to vote at all. When was the constitution of Kentucky amended so as to grant him the elective franchise? They vote there by virtue of the fifteenth amendment alone, independent of the laws and constitution of that Commonwealth; and they would today disfranchise him if it could be done without affecting her white population. The Old Bay State waited for no "act of Congress" to force her to do justice to all of her citizens, but in *ante bellum* days provided in her constitution that all male persons who could read and write should be entitled to suffrage. That was a case of equality before the law, and who had a right to complain? There is nothing now in the amended Federal Constitution to prevent Kentucky from adopting the same kind of clause in her constitution, when the convention meets to revise the organic law of that State, I venture the assertion that you will never hear a word about it; but it will not be out of any regard for her colored citizens, but the

respect for that army of fifty-thousand ignorant white men she had within her borders, many of whom I see every time I pass through that State, standing around the several depots continually harping on the stereotyped phrase, "The damned negro won't work."

I would not be surprised though if she should do better in the future. I remember when a foreigner was just as unpopular in Kentucky as the negro is now; when the majority of the people of that State were opposed to according the foreigner the same rights they claimed for themselves; when that class of people were mobbed in the streets of her principle cities on account of their political faith, just as they have done the negro for the last seven years. But what do you see today. One of that then proscribed class is Kentucky's chief Representative upon this floor. Is not this an evidence of a returning sense of justice? If so, would it not be reasonable to predict that she will in the near future send one of her now proscribed class to aid him in representing her interests upon this floor?

Mr. Speaker, there is another member of this body who has opposed the passage of this bill very earnestly, whose position in the country and peculiar relations to the Government compel me to refer to him before I conclude. I allude to the gentleman from Georgia, [Mr. Stephens,] He returns to this House after an absence of many years with the same old ideas respecting State-rights that he carried away with him. He has not advanced a step: but unfortunately for him the American people have, and no longer consider him a fit expounder of our organic law. Following to its legitimate conclusion the doctrine of State-rights, (which of itself is secession,) he deserted the flag of his country, followed his State out of the Union, and a long and bloody war followed. With its results most men are acquainted and recognize; but he, Bourbon-like, comes back saying the very same things he used to say, and swearing by the same gods he swore by in other days. He seems not to know that the ideas which he so ably advanced for so many years were by the war swept away, along with that system of slavery which he intended should be the chief corner-stone, precious and elect, of the transitory kingdom over which he was second ruler.

Sir, the most of us have seen the play of Rip Van Winkle, who was said to have slept twenty years in the Katskill Mountains. On his return he found that the small trees had grown up to be large ones; the village of Falling Waters had improved beyond his recollection; the little children that used to play around his knees and ride into the village upon his back had grown up to be men and women and assumed the responsibilities of life; most of his friends, including Nick Vedder, had gone to that bourn whence no traveler returns' but, saddest of all, his child, "Mene," could not remember him. No one can see him in his efforts to recall the scenes of other days without being moved almost to tears. This, however is fiction. The life and actions of the gentleman from Georgia most happily illustrate this character. This is a case where truth is stranger than fiction; and when he comes into these Halls advocating the same old ideas after an absence of so many years during which time we have had a conflict of arms such as the world never saw, that revolutionized the entire body politic, he stamps himself a living "Rip Van Winkle."

I reiterate, that the principles of "State-rights", for the recognition of which, he now contends, are the ones that were in controversy during our late civil strife. The arguments *pro* and *con* were heard in the roar of battle, amid the shrieks of the wounded, and the groans of the dying; and the decision was rendered amid shouts of victory by the Union soldiers. With it all appear to be familiar except him, and for his information I will state that upon this question an appeal was taken from the forum to the sword, the highest tribunal known to man, that it was then and there decided that National rights are paramount to State-rights, and that liberty and equality before the law should be coextensive with the jurisdiction of the Stars and Stripes. And I will further inform him that the bill now pending is simply to give practical effect to that decision.

I sympathize with him in his inability to understand this great change. When he left here the negro was a chattel; exposed for sale in the market places within a stone's throw of the Capitol; so near that the shadow of the Goddess of Liberty reflected by the rising sun would fall within the slave-pen as a forcible reminder that there was no hopeful day, nothing bright in the future, for the poor slave. Then no negro was allowed

to enter these Halls and hear discussions on subjects that most interested him. The words of lofty cheer that fell from the lips of Wade, Giddings, Julian, and others were not allowed to fall upon his ear. Then, not more than three negroes were allowed to assemble at any place in the capital of the nation without special permission from the city authorities. But on his return he finds that the slave-pens have been torn down, and upon their ruins temples of learning have been erected; he finds that the Goddess of Liberty is no longer compelled to cover her radiant face while she weeps for our national shame, but looks with pride and satisfaction upon a free and regenerated land; he finds that the laws and regulations respecting the assembling of negroes are no longer in force, but on the contrary he can see on any public holiday the Butler Zouaves, a fine-looking company of colored men, on parade.

Imagine, if you can, what would have been the effect of such a sight in this city twelve years ago. Then one negro soldier would have caused utter consternation. Congress would have adjourned; the Cabinet would have sought protection elsewhere; the President would have declared martial law; troops and marines would have been ordered out; and I cannot tell all that would have happened; but now such a sight does not excite a ripple on the current of affairs; but over all, and worse to him than all, he finds the negro here, not only a listener but a participant in debate. While I sympathize with him in his inability to comprehend this marvelous change, I must say in all earnestness that one who cannot understand and adjust himself to the new order of things is poorly qualified to teach this nation the meaning of our amended Constitution. The tenacity with which he sticks to his purpose through all the vicissitudes of life is commendable, though his views be objectionable.

While the chief of the late confederacy is away in Europe fleeing the wrath to come in the shape of Joe Johnston's history of the war, his lieutenant, with a boldness that must challenge the admiration of the most impudent, comes into these Halls and seeks to commit the nation through Congress to the doctrine of State-rights, and thus save it from the general wreck that followed the collapse of the rebellion. He had no other business here. Read his speech on the pending bill; his argument was cunning, far more ingenious than ingenuous. He does not deny the need or justness of the measure, but claims that the several States have exclusive jurisdiction of the same. I am not so willing as some others to believe in the sincerity of his assertions concerning the rights of the colored man. If he were honest in this matter, why is it he never recommended such a measure to the Georgia Legislature? If the several States had secured to all classes within their borders the rights contemplated in this bill, we would have had no need to come here; but they having failed to do their duty, after having had ample opportunity, the General Government is called upon to exercise its right in the matter.

Mr. Speaker, time will not allow me to review the history of the American negro, but I must pause here long enough to say that he has not been properly treated by this nation; he has purchased and paid for all, and for more, than he has yet received. Whatever liberty he enjoys has been paid for over and over again by more than two hundred years of forced toil; and for such citizenship as is allowed him he paid the full measure of blood, the dearest price required at the hands of any citizen. In every contest, from the beginning of the revolutionary struggle down to the war between the States, has he been prominent. But we all remember in our late war when the Government was so hard pressed for troops to sustain the cause of the Union; when it was so difficult to fill up the ranks that had been so fearfully decimated by disease and the bullet; when every train that carried to the front a number of fresh soldiers brought back a corresponding number of wounded and sick ones; when grave doubts as to the success of the Union arms had seized upon the minds of some of the most sanguine friends of the Government; when strong men took counsel of their fears; when those who had all their lives received the fostering care of the nation were hesitating as to their duty in that trying hour, and others questioning if it were not better to allow the star of this Republic to go down and thus be blotted out from the great map of nations than to continue the bloodshed; when gloom and despair were wide-spread; when the last ray of hope had nearly sunk below our political horizon, how the negro then came forward and offered himself as a sacrifice in the place of the nation, made bare his breast to the steel, and in it received the thrusts of the bayonet that were aimed at the life of the nation by the soldiers

of that government in which the gentleman from Georgia figured as second officer.

Sir, the valor of the colored soldier was tested on many a battlefield, and today his bones lie bleaching beside every hill and in every valley from the Potomac to the Gulf; whose mute eloquence in behalf of equal rights for all before the law, is and ought to be far more persuasive than any poor language I can command.

Mr. Speaker, nothing short of a complete acknowledgment of my manhood will satisfy me. I have no compromises to make, and shall unwillingly accept any. If I were to say that I would be content with less than any other member upon this floor I would forfeit whatever respect any one here might entertain for me, and would thereby furnish the best possible evidence that I do not and cannot appreciate the rights of a freeman. Just what I am charged with by my political enemies. I cannot willingly accept anything less than my full measure of rights as a man, because I am unwilling to present myself as a candidate for the brand of inferiority, which will be as plain and lasting as the mark of Cain. If I am to be thus branded, the country must do it against my solemn protest.

Sir, in order that I might know something of the feelings of a freeman; a privilege denied me in the land of my birth, I left home last year and traveled six months in foreign lands, and the moment I put my foot upon the deck of a ship that unfurled a foreign flag from its mast-head, distinctions on account of my color ceased. I am not aware that my presence on board the steamer put her off her course. I believe we made the trip in the usual time. It was in other countries than my own that I was not a stranger, that I could approach a hotel without the fear that the door would be slammed in my face. Sir, I feel this humiliation very keenly; it dwarfs my manhood, and certainly it impairs my usefulness as a citizen.

The other day when the centennial bill was under discussion I would have been glad to say a word in its favor, but how could I? How would I appear at the centennial celebration of our national freedom, with my own galling chains of slavery hanging about me? I could no more rejoice on that occasion in my present condition than the Jews could sing in their wonted style as they sat as captives beside the Babylonish streams; but I look forward to the day when I shall be in the full enjoyment of the rights of a freeman, with the same hope they indulged, that they would again return to their native land. I can no more forget my manhood, than they could forget Jerusalem.

After all, this question resolves itself to this: either I am a man or I am not a man. If one, I am entitled to all the rights, privileges, and immunities common to any other class in this country; if not a man, I have no right to vote, no right to a seat here; if no right to vote, then 20 per cent of the members on this floor have no right here, but, on the contrary, hold their seats *in violation of law*. If the negro has no right to vote, then one-eighth of your Senate consists of members who have no shadow of a claim to the places they occupy; and if no right to a vote, a half-dozen governors in the South figure as usurpers.

This is the legitimate conclusion of the argument, that the negro is not a man and is not entitled to all the public rights common to other men, and you cannot escape it. But when I press my claims I am asked, "Is it good policy?" My answer is, "Policy is out of the question; it has nothing to do with it; that you can have no policy in dealing with your citizens; that there must be one law for all; that in this case justice is the only standard to be used, and you can no more divide justice than you can divide Deity." On the other hand, I am told that I must respect the prejudices of others. Now, sir, no one respects reasonable and intelligent prejudices more than I. I respect religious prejudices, for example; these I can comprehend. But how can I have respect for the prejudices that prompt a man to turn up his nose at the males of a certain race, while at the same time he has a fondness for the females of the same race to the extent of cohabitation? Out of four poor unfortunate colored women who from poverty were forced to go to the lying-in branch of the Freedmen's Hospital here in the District last year three gave birth to children whose fathers were white men, and I venture to say that if they were members of this body, would vote against the civil-rights bill. Do you,

can you wonder at my want of respect for this kind of prejudice? To make me feel uncomfortable appears to be the highest ambition of many white men. It is to them a positive luxury, which they seek to indulge at every opportunity.

I have never sought to compel any one, white or black to associate with me, and never shall; nor do I wish to be compelled to associate with any one. If a man do not wish to ride with me in the street-car I shall not object to his hiring a private conveyance; if he do not wish to ride with me from here to Baltimore, who shall complain if he charter a special train? For a man to carry out his prejudices in this way would be manly, and would leave no cause for complaint, but to crowd me out of the usual conveyance into an uncomfortable place with persons for whose manners I have a dislike, whose language is not fit for ears polite, is decidedly unmanly and cannot be submitted to tamely by any one who has a particle of self-respect.

Sir, this whole thing grows out of a desire to establish a system of "caste," an anti-republican principle, in our free country. In Europe they have princes, dukes, lords, & c., in contradistinction to the middle classes and peasants. Further East they have the brahmans or priests, who rank above the sudras or laborers. In those countries distinctions are based upon blood and position. Every one there understands the custom and no one complains. They, poor innocent creatures, pity our condition, look down upon us with a kind of royal compassion, because they think we have no tangible lines of distinction, and therefore speak of our society as being vulgar. But let not our friends beyond the seas lay the flattering unction to their souls that we are without distinctive lines; that we have no nobility; for we are blessed with both. Our distinction is color, (which would necessarily exclude the brahmans,) and our lines are much broader than anything they know of. Here a drunken white man is not only equal to a drunken negro, (as would be the case anywhere else,) but superior to the most sober and orderly one; here an ignorant white man is not only the equal of an unlettered negro, but is superior to the most cultivated; here our nobility cohabit with our female peasants, and then throw up their hands in holy horror when a male of the same class enters a restaurant to get a meal, and if he insist upon being accommodated our scion of royalty will leave and go to the arms of his colored mistress and there pour out his soul's complaint, tell her of the impudence of the "damned nigger" in coming to a table where a white man was sitting.

What poor, simple-minded creatures these foreigners are. They labor under the delusion that they monopolize the knowledge of the courtesies due from one gentleman to another. How I rejoice to know that it is a delusion. Sir, I wish some of them could have been present to hear the representative of the F.F.V.'s upon this floor (and I am told that that is the highest degree that society has yet reached in this country) address one of his peers, who dared asked him a question, in this style: "I am talking to white men." Suppose Mr. Gladstone--who knows no man but by merit--who in violation of our custom entertained the colored jubilee singers at his home last summer, or the Duke de Broglie, had been present and heard this eloquent remark drop from the lips of this classical and knightly member, would they not have hung their heads in shame at their ignorance of politeness, and would they not have returned home, repaired to their libraries, and betaken themselves to the study of Chesterfield on manners? With all these absurdities staring them in the face, who can wonder that foreigners laugh at our ideas of distinction?

Mr. Speaker, though there is not a line in this bill the democracy approve of, yet they made the most noise about the school clause. Dispatches are freely sent over the wires as to what will be done with the common-school system in the several Southern States in the event this bill becomes a law. I am not surprised at this, but, on the other hand, I looked for it. Now what is the force of that school clause? It simply provides that all the children in every State where there is a school system supported in whole or in part by general taxation shall have equal advantages of school privileges. So that if perfect and ample accommodations are not made convenient for all the children, then any child has the right to go to any school where they do exist. And that is all there is in this school clause. I want some one to tell me of any measure that was intended to benefit the negro that they have approved of. Of which one did they fail to predict evil? They

declared if the negroes were emancipated that the country would be laid waste, and that in the end he would starve, because could not take care of himself. But this was a mistake. When the reconstruction acts were passed and the colored men in my State were called upon to express through the ballot whether Alabama should return to the Union or not, white men threw up their hands in holy horror and declared if the negro voted that never again would they deposit another ballot. But how does the matter stand now? Some of those very men are in the republican ranks, and I have known them to grow hoarse in shouting for our platforms and candidates. They hurrah for our principles with all the enthusiasm of a new-born soul, and, sir, so zealous have they become that in looking at them I am amazed, and am often led to doubt my own faith and feel ashamed for my lukewarmness. And those who have not joined our party are doing their utmost to have the negro vote with them. I have met them in the cabins night and day where they were imploring him for the sake of old times to come up and vote with them.

I submit, Mr. Speaker, that political prejudices prompt the democracy to oppose this bill as much as anything else. In the campaign of 1868, Joe Williams, an uncouth and rather notorious colored man, was employed as a general democratic canvasser in the South. He was invited to Montgomery to enlighten us, and while there he stopped at one of the best hotels in the city, one that would not dare entertain me. He was introduced at the meeting by the chairman of the democratic executive committee as a learned and elegant, as well as eloquent gentleman. In North Alabama he was invited to speak at the Seymour and Blair barbecue, and did address one of the largest audiences, composed largely of ladies, that ever assembled in that part of the State. This I can prove by my simon-pure democratic colleague, Mr. Sloss, for he was chairman of the committee of arrangements on that occasion, and I never saw him so radiant with good humor in all my life as when he had the honor of introducing "his friend," Mr. Williams. In that case they were extending their courtesies to a coarse, vulgar stranger, because he was a democrat, while at the same time they were hunting me down as the partridge on the mount, night and day, with their Ku-Klux Klan, simply because I was a republican and refused to bow at the foot of their Baal. I might enumerate many instances of this kind, but I forbear. But to come down to a later period, the Greeley campaign. The colored men who were employed to canvass North Carolina in the interest of the democratic party were received at all the hotels as other men and treated I am informed with marked distinction. And in the State of Louisiana a very prominent colored gentleman saw proper to espouse the Greeley cause, and when the fight was over and the McEnery government saw fit to send on a committee to Washington to present their case to the President, this colored gentleman was selected as one of that committee. On arriving in the city of New Orleans prior to his departure he was taken to the Saint Charles, the most aristocratic hotel in the South. When they started he occupied a berth in the sleeping-car; at every eating-house he was treated like the rest of them, no distinction whatever. And when they arrived at Montgomery I was at the depot, just starting for New York. Not only did the conductor refuse to allow me a berth in the sleeping-car, but I was also denied a seat in the first-class carriage. Now, what was the difference between us? Nothing but our political faith. To prove this I have only to say that just a few months before this happened, he, along with Frederick Douglass and others, was denied the same privileges he enjoyed in coming here. And now that he has returned to the right party again I can tell him that never more will he ride in another sleeping-car in the South unless this bill become law. There never was a truer saying than that circumstances alter cases.

Mr. Speaker, to call this land the asylum of the oppressed is a misnomer, for upon all sides I am treated as a pariah. I hold that the solution of this whole matter is to enact such laws and prescribe such penalties for their violation as will prevent any person from discriminating against another in public places on account of color. No one asks, no one seeks the passage of a law that will interfere with any one's private affairs. But I do ask the enactment of a law to secure me in the enjoyment of public privileges. But when I ask this I am told that I must wait for public opinion; that it is a matter that cannot be forced by law. While I admit that public opinion is a power, and in many cases is a law of itself, yet I cannot lose sight of the fact that both statute law, and the law of necessity manufacture public opinion. I remember, it was unpopular to enlist negro soldiers in our late war, and after they enlisted it was equally unpopular to have them fight in the same battles; but when it became a necessity in both cases public opinion soon came around to that point.

No white father objected to the negro's becoming food for powder if thereby his son could be saved. No white woman objected to the negro marching in the same ranks and fighting in the same battles if by that her husband could escape burial in our savannas and return to her and her little ones.

Suppose there had been no reconstruction acts nor amendments to the Constitution, when would public opinion in the South have suggested the propriety of giving me the ballot? Unaided by law when would public opinion have prompted the Administration to appoint members of my race to represent this Government at foreign courts? It is said by some well-meaning men that the colored man has now every right under the common law; in reply I wish to say that that kind of law commands very little respect when applied to the rights of colored men in my portion of the country; the only law that we have any regard for is *uncommon law* of the most positive character. And I repeat, if you will place upon your statute-books laws that will protect me in my rights, that public opinion will speedily follow.

Mr. Speaker, I trust this bill will become law, because it is a necessity, and because it will put an end to all legislation on this subject. It does not and cannot contemplate any such idea as social equality; nor is there any man upon this floor so silly as to believe that there can be any law enacted or enforced that would compel one man to recognize another as his equal socially; if there be, he ought not to be here, and I have only to say that they have sent him to the wrong public building. I would oppose such a bill as earnestly as the gentleman from North Carolina, whose associations and cultivations have been of such a nature as to lead him to select the crow as his standard of grandeur and excellence in the place of the eagle, the hero of all birds and our national emblem of pride, and power. I will tell him that I have seen many of his race to whose level I should object to being dragged.

Sir, it matters not how much men may differ upon the question of State and national rights; there is one class of rights, however, that we all agree upon, namely, individual rights, which includes the right of every man to select associates for himself and family, and to say who shall and who shall not visit at his house. This right is God-given and custom-sanctioned, and there is, and there can be no power overruling your decision in this matter. Let this bill become law and not only will it do much toward giving rest to this weary country on this subject, completing the manhood of my race and perfecting his citizenship, but it will take him from the political arena as a topic of discussion where he has done duty for the last fifty years, and thus freed from anxiety respecting his political standing, hundreds of us will abandon the political fields who are there from necessity, and not from choice and enter other and more pleasant ones; and thus relieved, it will be the aim of the colored man as well as his duty and interest, to become a good citizen, and to do all in his power to advance the interests of a common country.