

Neglected Voices

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

Representatives Richard H. Cain and Joseph H. Rainey, responding on February 3, 1875, to arguments that the Bill would unconstitutionally infringe the rights of whites.

Mr. CAIN. Mr. Speaker there are periods in the history of nations and of peoples when it is necessary that men belonging to a race or races whose rights and interests are at stake should lay aside all feelings of delicacy and hesitation and vindicate their rights, their character, and their nationality. I have listened with some surprise to the speech of the gentleman who has just taken his seat, (Mr. WHITEHEAD.) I have been surprised at his attempt to ridicule and cast a slur upon a race of men whose labor has enabled him and his for two hundred years to feed, and drink and thrive and fatten.

I have sat in this House nearly nine months, and I have listened to gentlemen recognize as the leaders on the other side attempting to demonstrate as they supposed the inferiority of a race of men whom they have so long outraged, and to cast a slur upon them because they have been helpless. But revolutions never go backward. The mills of the gods grind slowly, but surely and exceeding fine. The times have changed. The wheels have rolled up different circumstances from those that were rolled up in the days of the old regime.

The gentleman from Virginia calls in question the propriety of passing the civil-rights bill. I cannot agree with him, and for this reason; my understanding of human rights, of democracy if you please, is all rights to all men, the government of the people by the people, and for the people's interest, without regard to sections, complexions, or anything else.

Why not pass the civil-rights bill! Are there not five millions of men, women, and children in this country, a larger number than inhabited this country when the fathers made the tea party in Boston harbor, five millions whose rights are as dear and sacred to them, humble though they be, as are the rights of the thirty-odd millions of white people in this land? I am at a loss to understand the philosophy which these gentlemen have learned; how they can arrogate to themselves all rights, all liberty, all law, all government, all progress, all science, all arts, all literature, and deny them to other men formed of God equally as they are formed, clothed with the same humanity; and endowed with the same intellectual powers, but robbed by their connivance of the means of development. I say I am at a loss to understand how they can deny to us these privileges and claim them for themselves.

The civil-rights bill simply declares this: that there shall be no discriminations between citizens of this land so far as the laws of the land are concerned. I can find no fault with that. The great living principle of the American Government is that all men are free. We admit from every land and every nationality men to come here and under the folds of that noble flag repose in peace and protection. We assume that, whatever education his mind may have received, each man may aspire to and acquire all the rights of citizenship. Yet because, forsooth, God Almighty made the face of the negro black, these gentlemen would deny him that right though he be a man. Born on your soil, reared here amid the toils and sorrows and griefs of the land, producing by his long years of toil the products which have made your country great, earnestly laboring to develop the resources of this land, docile though outraged, yet when the gentlemen who held them in bondage--sir, I will not repeat the dark scenes that transpired under the benign influence and direction of

that class of men.

He tells you that since the liberation of the negro the people of the North want to stir up strife. Why, sir you of the South stir up the strife. When the Government of the United States had made the black man free; when Congress, in the greatness of its magnanimity prepared to give to every class of men their rights, and in reconstructing the Southern States guaranteed to all the people their liberties, you refused to acquiesce in the laws enacted by Congress; you refused to "accept the situation," to recognize the rights of that class of men in the land. You sought to make the reconstruction acts a nullity, if possible. You sought to re-enslave the black man by every means in your power. You denied the validity of those reconstruction acts which undertook to protect him in his liberty. It is because you thus refused to accept the situation as it ought to have been accepted that there is now strife in the land. And I will tell you further that there will be strife all over this land as long as five millions of black men, women, and children are deprived of their rights. There will be no real and enduring peace so long as the rights of any class of men are trampled under foot, North or South, East or West.

Gentlemen say that the republican party is keeping up a continual strife among classes. Why, sir, it is not the republican party that is keeping up strife. The republican party is seeking to maintain peace. It is the southern men that make the strife, because they will not let us have our liberties, because they seek to thwart the designs of the Government. No man can read the tales of horror now being brought out by the investigating committees in the South, without realizing the fact that it is not the northern people or the republican party that makes this strife in the country.

I regard it as essential to the peace of the country that there shall be no discrimination between citizens; and the civil-rights bill I regard as a just and righteous measure which this Government must adopt in order to guarantee to all citizens equal rights.

And, Mr. Speaker, I am astonished that there is an apparent disposition in some quarters to give this question the go-by. "O," gentlemen say, "you will stir up strife in the country"-- "bad blood," the gentleman from Virginia said. Well, I think there has been a good deal of "bad blood" in the South already. It seems to me that a few years ago they had some "bad blood" in the South--very bad blood. And if any one will read the transactions in the South during the last few months, he will find that the "bad blood" has not all got out of the South--bad blood stirred up, not by the northern people, but by the southern people themselves.

Now, I do not think there is so much bad blood between the blacks and whites. The gentleman tells us in the next breath that they have the best laborers in country. Well, if the labor is so good why do you not treat your laborers well? If they are the best class of laborers, if they do so much, why not guarantee to them their rights? If they are good laborers, if they produce your corn and your rice, if they give you such grand products, it is not proper and just that you should accord to them the rights that belong to them in common with other men?

The gentleman said that the slaves lived better than their masters. That is susceptible of grave doubt. I think there is a great difference between hog and hominy in the log cabin and all the luxuries of life in the richly-carpeted mansion. It seems to me there is a great difference when one class bear all the labor and produce all the crops, while the other class ride in their carriages, do all the buying and selling, and pocket all the money.

The gentleman says he wishes to defend "old Virginny." Now, I do not think that Virginia is any better than the rest of the States in this respect. My colleague has already stated that they do not allow colored people to ride in the cars except in cars labeled "Colored people allowed in this car." "Old Virginny never tires!" In this connection let me bring another fact to the gentleman's notice. Eight or ten months ago a lady acquaintance of mine was traveling from South Carolina to Washington; she had ridden in a first-class car

through North Carolina, having paid a first-class fare; but when she got to the gentleman's noble State of "old Virginny," she was rudely taken and pushed out of the first-class car into the smoking car, where she was obliged to remain until she passed out of "old Virginny." It is in this way that they give colored people all their rights and privileges in "old Virginny." It seems to me that such things as this must make "bad blood" for somebody.

But, Mr. Speaker, the gentleman says that this measure is merely an attempt on the part of the people at the North to continue agitation and strife. Sir, I believe that if Congress had boldly passed the civil-rights bill a year ago; if it had let the nation know that the mandates of the highest authority of the land must be obeyed, there would be no trouble today about the civil-rights bill, nor about "mixed schools," &c. The laws of the country would be obeyed. The trouble is merely that there has been a disposition to some extent on the part of some republicans to minister to the prejudices of southern men. Why is it that southern men make all this ado about schools? I think, Mr. Speaker, you will find that of all the men who have voted against the civil-rights bill in the contest that has been going on, there have been more men from the South than from the North on the republican side. The trouble arises in that direction.

But gentlemen speak about "bad blood"--Sir, the statistics show--I want to illustrate the manner in which some of the southern people feel about the "bad blood"--the statistics show that there are 1,728,000 mulattoes in the South. One would naturally think there was a good deal of "bad blood" between the two classes--a great deal of unkind feeling!

Mr. Speaker, I regard the civil-rights bill as among the best measures that ever came before Congress. Why, sir, it is at the very foundation of good government. I take a higher view of the question than that of prejudice between the two classes. I regard this five million of men, women and children in the country as an integral part of the country, interwoven with all its interests. The laboring class of the South are as much a part of the population of this country as any other laboring class. The gentleman says that the South has its laborers. So they have. Very well; why should you not keep those laborers there? Why are the gentleman's friends desirous of killing them off? Why do you drive them from the fields? Why do you drive them from their homes? A committee of this House tells us the testimony taken before them shows there are two or three thousand men, women, and children who have been driven from plantations simply because men voted the republican ticket. That is all. The bad blood of the South comes because the negroes are republicans. If they would only cease to be republicans, and vote the straight-out democratic ticket there would be no trouble. Then the bad blood would sink entirely out of sight.

Mr. WHITEHEAD. Will the gentleman permit me to ask him a single question?

Mr. CAIN. Certainly.

Mr. WHITEHEAD. You were speaking of street cars just now and I should like to say just this is in regard to the street cars in Richmond. More than for years ago the street cars of Richmond were thrown open to all classes. Let me read the authority I have for that statement:

More than four years ago the street cars of Richmond were thrown open to all classes.

JOHN W. WOLTZ.

Mr. RAINEY. I desire to say to the gentleman from Virginia I am prepared to give my affidavit that I was in the State of Virginia less than two years ago, and in the city of Richmond. They have cars set apart for the colored people running in the streets of that city. I was prohibited from riding in any other cars than the ones designated for colored people.

Mr. WHITEHEAD. I have this to say. I do not know what was the cause of the gentleman's being put out

of the ordinary street cars of that city. The statement I have given is the statement of Mr. Woltz, a leading republican of the State of Virginia and the city of Richmond, who is in full favor now with his party.

Mr. RAINEY. I do not know whether the gentleman who represents the district gives that information or not, but I state to the gentleman from Virginia exactly what occurred to myself.

Mr. CAIN. In less time than that spoken of, the gentleman from South Carolina, a personal friend of mine, was thrust from the street cars in Richmond. He entered a suit in the courts to recover damages for being thrust out of those cars, but was afterward prevailed upon to withdraw his suit..

But, Mr. Speaker, I was about to say this question of civil rights is one which ought to be met plainly and fully. It ought to be made clear and plain to the whole country. What are you going to do with these people? They are here and here they are going to stay. We are going to fight it out on this line if it takes the whole summer. Here we are, part and parcel of this Union, born here and here we expect to die..

But, Sir, I have no fear for the future. I believe the time will come when the sense of justice of this nation, when the enlightenment of this century, when the wisdom of our legislators, when the good feeling of the whole people will complete this grand work by lifting up out of degradation a race of men which has served long and faithfully by placing it, so far as the laws are concerned, upon an equal footing with all other classes. I have faith in this country. My ideas are progressive. I recognize the fact that there has been a constant progress in the development of ideas in this country. The great principle which underlies our Government, of liberty, of justice, of right, will eventually prevail in this land and we shall enjoy equal rights under the laws. I regret exceedingly gentlemen talk of social equality. That seems to be their great bugaboo. O, if you put colored men upon an equality before the law they will want social equality! I do not believe a word of it. Do you suppose I would introduce into my family a class of white men I see in this country? Do you suppose for one moment I would do it? No, sir; for there are men even who have positions upon this floor, and for whom I have respect, but of whom, I should be careful how I introduced them into my family. I should be afraid indeed their old habits acquired beyond Mason and Dixon's line might return. No, Mr. Speaker, it is a damnable prejudice, the result of the old cursed system of slavery. It is that which brought about this prejudice and has caused it to overshadow the whole land. Slavery has left the poison still in their minds. Slavery and its effects have nearly expired. It is, to be sure, in its last dying throes. The rude band of war opened a cavern into which ran much of the bad blood spoken of. The stamp of Phil Sheridan's gallant troopers let much more of it out. Before this Congress closes it will pass the civil-rights bill, giving equal rights and protection to all classes throughout the country. Then indeed, thank God, the last vestige of that old barbarism will have disappeared, and peace shall spread her wings over a united, prosperous, and happy people.

Mr. Speaker, I possibly owe an apology to the House for these remarks, because I entered the House only twenty minutes before the gentlemen from Virginia [Mr. WHITEHEAD] stopped speaking; but I felt it was a duty I owed to myself and to the race to which I belong to hurl back his aspersions against the people with whom I am identified, and whom I have endeavored to vindicate here tonight.

There has been a great cry, Mr. Speaker, about schools. Let me give you some statistics bearing upon that part of the case. I have been at some pains to look over the statistics of education in the South, the East, the West, and the North. And in the returns of the last census I find these figures: The number of whites who read throughout the Union was 6,412,246. The number of colored who read was 172, 779; the difference being 6,239,467. Number of whites who cannot write 2,842,062. Colored who cannot write, 2,778,515. I think, so far as the educational clause of the civil-rights bill is concerned, we shall not lose anything if it is struck out. There is more ignorance in proportion in this country among the whites than there is among the colored. The prejudice, therefore, against the clause, so far as that is concerned, will not injure us as a great deal after all. We could afford for the sake of peace in the republican ranks, if for nothing else--not as a

matter of principle--to except the school clause.

So far as the grave-yards are concerned, why, we are not much troubled where we shall be buried. We know very well we shall be buried somewhere if we die. We are certain of that; somebody will get us out of the way.

Mr. Speaker, I regard it as essential, therefore, that this bill should pass. These five millions of people for whom I speak are waiting for its passage. Their hopes, their prospects, their lives to a certain extent depend upon it. And I think this country owes it to them. Having lifted them out of slavery, having emancipated them, having given them manhood in a sense, I regard it as essential to the interests of this country that they shall make them citizens of this country, with all that that word imports, and that they shall guarantee to them the protection necessary for their lives and for their property.

It is also necessary, Mr. Speaker, that this bill should pass that we may go through the length and breadth of this country without let or hindrance. I know there are prejudices; but we must expect that these will exist. Let the laws of the country be just; let the laws of the country be equitable; this is all we ask, and we will take our chances under the laws in this land. We do not want the laws of this country to make discriminations between us. Place all citizens upon one broad platform; and if the negro is not qualified to hoe his row in this contest of life, then let him go down. All we ask of this country is to put no barriers between us, to lay no stumbling blocks in our way, to give us freedom to accomplish our destiny, that we may thus acquire all that is necessary to our interest and welfare in this country. Do this, sir, and we shall ask nothing more. [\(1\)](#)

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Mr. RAINEY. Mr. Speaker, it was my original intention to have submitted some remarks tonight upon this bill. But upon further reflection I had made up my mind to wait until tomorrow morning, when I hoped to have an opportunity to speak at some length and to my better satisfaction; yet I cannot permit this opportunity to pass without a few words in reply to the gentleman from Virginia. [Mr. WHITEHEAD.] I regret that some others on that side of the House have not seen fit to participate in the debate tonight, for it looks a little uncharitable to direct all our arguments from this side against a single honorable opponent. But it so happens that he is the only one who has said anything in regard to the bill at this time. I did not come in the Hall this evening early enough to hear all the gentleman had to say. I wish I had heard his entire speech, for I might have been able then to form a better judgment of the course of his argument.

I must say, judging from what I have heard, that the gentleman has made no argument that, in my opinion, can do the civil-rights bill any harm. He has attempted to ridicule the same; he has attempted to ridicule the people whom it is designed to benefit; but he has not adduced any strong argument, logical nor legal, why the bill should not pass and become a law; why the class of people against whom he has raised his opposing voice tonight should not have their constitutional rights. His premises are erroneous altogether, consequently his conclusions are not fallacious and void of force. He said the common law now provides all of the remedies this bill is intended to afford; therefore he could not see the necessity for its passage. He further adds that it was intended to create strife and not benefit the colored people. I want to say to the member from Virginia that so far as the common law is concerned, although I am not a lawyer, I am aware however, that it contains remedial provisions; but they are so general in their character as frequently to lose specific application and force unless wrought into statutory enactment. Hence the necessity for this bill, which sets forth specifically the offenses and the means of redress. That I believe to be why, among other reasons, we enact statutory law; otherwise we would appeal to the common law and obtain our ends independent of the statutes.

The fact of the determined and earnest opposition to which this measure has been subjected is an additional

argument in favor of its passage in order that we may have the constitutional rights guaranteed us, being citizens. The time has come under this Government when we must no longer be looked upon and judged by the color of our skins. Yes the time is at hand when you must cease to take us for cringing slaves. We may have been such in the past, but you should not fail to remember that we are freemen now, and citizens of this great country in common with yourselves; therefore entitled to the full enjoyment of all the privileges and immunities incidental to that condition.

But, as I said before, the gentleman remarked that this bill is intended to create or provoke strife, and in that next breath he contradicted himself by saying if this was the intention and purpose of the republican party for political effect it would be deceived, at least so far as Virginia was concerned, as there would be no strife there. If that would not be the case in Virginia, namely, that there would be no strife, why then the gentleman's argument falls to the ground, inasmuch as he admits that in his own State there would be no trouble in event of its becoming a law. Whether this admission was intentional or not I have no means whereby to determine; the gentleman will therefore have to reconcile it to himself.

Now I take the ground that there will be no difficulty in any of the States on account of this bill. There is no argument offered by the opposition to it that was not presented here years ago. True it was not upon this subject, but subjects of a kindred nature affecting the Government more vitally than this ever will. I assert that this "genus" in argument has gnawed at the vitals of this Republic for nearly half a century, until it was aroused from its masterly inactivity, throttled the demon of rebellion, and asserted its potency.

We heard in the course of this debate those diatribes which were so familiar to the ear of the country in times past, the declamation of which contributed in no ordinary degree toward fermenting that bitter sectional spirit which culminated in conflict and bloodshed. The condition of the colored race reminds me forcibly of what is said of Mohammed's coffin, which is affirmed to be oscillating between heaven and earth. The passage of this bill, the purpose of which is to accord equal civil rights to my race, who have felt and are still feeling the sad necessity for the same, will go further to allay restive public sentiment in this regard and define more definitely the status of us, the new-born citizens, than any statutory enactment that has yet taken place.

It was declared, sir, that if we were enfranchised it would provoke conflict and create strife; that if we were placed in the jury-box it would create a similar result. We have been in the jury-box; we have sat upon cases involving the interests of our fellow-citizens, and have rendered verdicts, and I can say with confidence and pride that as regards my own State our action in this respect has been recognized and accepted even by the democratic lawyers, who frequently select colored jurors. We have also had the pleasure of voting; and the only trouble today is that the colored man is so loyal to the Government and true to the party that has given him such rights as he has, that he cannot be prevailed upon to enter the ranks of the opposition. That is the reason why gentlemen on the other side are fighting so strenuously against our advancement. But I will say to them that we intend to continue to vote so long as the Government gives us the right and the necessary protection; and I know that right accorded to us now will never be withheld in the future if left to the republican party. The sooner those opposed to us will understand and concede the fact the better it will be for the tranquility, prosperity, and happiness of the whole country.

I say to the gentleman from Virginia, I do not doubt that there are privileges accorded to the colored people in his State; that they are allowed to live quietly and without molestation; but I ask why? The answer is, since the election of Governor Walker in that State colored men have been compelled, to a great degree, to vote as the democracy dictated or else not vote at all, without detriment to their business. Whenever the democrats get control of a State, they say "Everything is lovely, and the negroes are happy and prosperous;" but just as soon as the republicans obtain control, then the cry is made loudly that anarchy, ruin, and general destruction are upon the people; that they are oppressed nigh unto death by burdensome taxation, and that the Government is a failure.

Sir, in the State of South Carolina, where we have a republican form of government indeed, where the colored people are in a majority, we are endeavoring, with a fair prospect of success, to demonstrate that the reconstruction policy is not a failure. You may overrule us in Virginia, North Carolina, and Georgia; but we will hold our own in South Carolina; and when her government passes out of the hands of republicans our flag shall yet be flying.

It may be true that in Virginia they have some regard for the colored people, but I can mention a circumstance from my personal observation which does not show regard for the dead and little for the living. When in Richmond some two or three years ago I was taken to the outskirts of the city where there was a burial ground in which the slaves had formerly been buried. To my astonishment I found that graveyard cut through for the purpose of opening a street, and the city carts hauling away the dust of those poor dead slaves and strewing the same about the streets to fill up the low places and mud-holes. I saw this with my own eyes, and therefore can testify before God and man as to the fact. Does not this statement show that with some people there is no regard for the poor negro, living or dead? Think of it! The sacred dust of the dead in a civilized community used to fill up mud-holes and low places!

Yet you talk about humanity; your kindly feeling for the colored race. Gracious Heaven! If you have no feelings for the ashes of the dead; if you have no regard for the dust of the dead slave who served you all the days of his life faithfully, honestly, well, we may have apprehensions as to the manner in which we will be treated, now that we are free and struggling for equal rights, unless we are protected by the strong arm of the law.

We do not intend to be driven to the frontier as you have driven the Indian. Our purpose is to remain in your midst an integral part of the body-politic. We are training our children to take our places when we are gone. We desire this bill that we may train them intelligently and respectably, that they may thus be qualified to be useful citizens in their day and time. We ask you, then, to give us every facility, that we may educate our sons and our daughters as they should be. Deprive us of no rights belonging to us as citizens; give us an equal opportunity in life, then if we fail we will be content if driven to the wall.

But Mr. Speaker, the subject under consideration is one in which I naturally feel a deep and almost inexpressible interest, not on account of any personal aggrandizement or exclusive individual benefit which I hope to enjoy, but for reasons far more patriotic, lofty, and disinterested in their conception. I speak in behalf of my race and people, who have long endured hardship, degradation, and proscription to subserve the pernicious and diabolical ends of slavery.

I speak in behalf of that people which was found ready and willing when they were needed and an opportunity was afforded to show their fealty to the Government and their readiness with strong arms and willing hearts to contribute toward our country's cause. Are such men to be hooted at and treated contemptuously because of their color? Would you have their loyal aspirations crushed out beneath the heel of tyranny or tramp of prejudice? And yet these very men, or their offsprings, are told that they cannot receive, "full and equal enjoyment of any accommodation, advantage, facility, or privilege furnished by innkeepers; by common carriers, whether by land or water; by licensed owners, managers, or lessees of theaters, or other places of public amusement; by trustees, commissioners, superintendents, teachers, and other officers of common schools and public institutions of learning." Is not such action calculated to damp their ardor and fill them with cold indifference and dismay?

Sir, it is not within the scope of reason to expect that any people will continue to be loyal and faithful to a government that disregards their rights and treats with indifference their earnest appeal for the accordment of those privileges and immunities enjoyed by other citizens within its counties; but more especially is this true when they are aware that the only ground upon which these privileges and immunities are withheld is because of complexional differences. Sir, there may exist this difference between the hue of our skins and

that of other citizens; but that does not deprive us of principle and such sterling elements of character as would be desirable and befit any class of people and make the man. This may be denied by some and questioned by others. To such I reply, lay aside your prejudices, and doubt will give place to conviction.

Much apprehension and fear have been exhibited on account of the social aspect of this subject. A few words on that point will not be out of place. This fear and apprehension are unwarranted; there is no social precedent for this alarm. It is merely conjectural, or, in other words, it is nothing more than the result engendered by a diseased and prejudiced mind. Every impartial thinker is aware that no law is supposed possible to regulate the social customs of any people. What is social equality? Is it the undisturbed right to enter public places of amusement, and receive the same accommodations as are offered others at like cost? Surely that cannot be, for it is obvious that suspicious characters are frequently the occupants of first-class seats among the spectators; so if this settles the question we may well tremble for the purity and reputation of good society. Is it the unrestricted right to be entertained at public inns or restaurants and be respectfully treated? That cannot be, for we have daily instances before us where thieves and others of questionable repute enjoy these advantages without, I hope, being considered social equals of other guests. Is it the right of franchise, of being accommodated by common carriers, whether by land or water, and treated as other first-class passengers are? I think not. It is therefore a waste of argument to insist upon it. Social equality consists in congeniality of feeling, a reciprocity of sentiment, and mutual, social recognition among men, which is graded according to desire and taste, and not by any known or possible law. Men as a rule are always careful never to introduce into the sauciness of their family circles those who would abuse the privilege, or who are not recognized as social equals. This is a right that cannot be disputed, neither can it be invaded by any law or statutory enactment.

Reference has been made, for the purpose of arousing public opposition and resentment upon the ground that it would signalize the overthrow of opposing barriers, to unrestrained association between the races and thus inaugurate intermarriage of whites and blacks. Such argument shows the weakness of this supposed salient point adduced by the opposition. It is a mere subterfuge, and unworthy of those who announce it. If their arguments are of any value and force, it reflects unfavorably upon those whose cause they are supposed to defend. Need I say it is unknown to the spirit of our Constitutions, Federal or State; the possible enactment of any compulsory law forcing alliance between parties having no affinities whatever.

The superiority of the Anglo-Saxon race--which has been flaunted in our faces during this discussion--is enough to lead one to believe that there is no occasion whatever for this dread of indiscriminate association, inasmuch as this much talked of superiority would be of sufficient security and safeguard of itself to defy all assaults, intrusions, or intrigues.

Surely there is not constraining power in one class over another to compel or induce that intimate relationship which custom has declared can only be brought about by desirable and mutual agreement. This is not only an acknowledged social right, but one guaranteed by the Constitution, which says, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

If the future may be judged from the results of the past, it will require much effort upon the part of the colored race to preserve the purity of their own households from the intrusions of those who have hitherto violated and are now violating with ruthless impunity those precious and inestimable rights which should be the undisturbed heritage of all good society.

We are grateful, however, that the day has come when no slave mother will lament in plaintive strains the parting of herself and daughters thus:

Gone, gone--sold and gone

To the rice-swamp, dank and lone--

Toiling through the weary day,

And at night the spoiler's prey.

O, that they had earlier died,

Sleeping calmly, side by side,

Where the tyrants power is o'er

And the fetter galls no more

Gone, gone--sold and gone

To the rice-swamp, dank and lone,

From Virginia's hills and waters

Woe is me, my stolen daughters!

I venture to assert to my white fellow-citizens that we, the colored people, are not in quest of social equality. For one I do not ask to be introduced into your family circles if you are not disposed to receive me there. Among my own race we have as much respectability, intelligence, virtue, and refinement possible to expect from any class circumstanced as we have been. This being so, why should I cast imputation upon my people by saying to them, "I do not want your society; I prefer to associate with the whites." Why should I be ashamed of them with their blood flowing in my veins? Such is not the promptings of my heart nor of my colored colleagues on this floor. We are not naturally more disposed to immorality than others. Under the new order of things we are hopeful, however, that a higher order of morality will be established in the South than existed there in *ante bellum* days; for the time has come when it is admitted that the negroes have rights that white men are bound to respect.

Among my race I am free to confess that we have some immoral men and women, but our consolation is that such regretful examples are not confined to any race or people. It might be said, however, in extenuation of this condition of affairs, that many of them have been kept bowed down in the fetid trenches of slavery for so long a time that their senses have become blunted beyond a keen conception of their own rights and interests, which has led many to believe that they are contented with such privileges as they now enjoy, without desiring further legislation in their behalf. The misfortunes of this class are not chargeable to any but those who delighted to degrade us in the past and desire to continue the same treatment in the present. It is to be hoped, therefore, that they will not be considered as reflecting the opinions or wishes of the more intelligent in this regard.

The earnest desire for the passage of this bill as a measure of justice and equity becomes more evident from the stubborn opposition made to it. There has been no measure passed by Congress having for its avowed object the benefit of the negro race in any way but what has met the same contention that has been so apparent in this instance.

Much has been said about the Constitution and its bearing upon the passage of this bill, and the ultimate result of such an event. Time will not permit me to refer to them all. I will say, by way of general reply, that those who read the Constitution with partial and selfish motives in view fail to see the interests of the colored race apart from what is implied in the three last amendments thereto, and frequently with a narrow conception of those. We claim equal rights and interests with other citizens who are embraced within the

limits of all its provisions. If this should not be admitted, the people would soon lose appreciation for that instrument, and clamor for a change that would afford them more general and better protection. Believing it to be adequate for the ample security of all, the people are content with it.

Article 4, section 2, of the Constitution reads thus:

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

According to this provision it is unconstitutional to deny any privilege or immunity to colored citizens in either Virginia, Georgia, Kentucky, or any other State that is guaranteed to other citizens. It must be remembered that we are not dealing with the past, but with the immediate present and for the future.

In this connection reference may be properly made to the public schools. All the objections that have been urged against the general commingling of white and colored children in these schools have been stated and successfully refuted in the past. There was great dissatisfaction shown at the inauguration of this system in those States where it has been in successful operation for years. It is gratifying to state that the satisfactory results of its workings has dispelled all doubts in regard to its practicability, quieted apprehension, and contributed largely to remove fears and annihilate that prejudice which has been declared upon this floor should be fostered and respected. It is with the aim of making more complete the destruction of this uncharitable sentiment and proscription that the opening of the public schools to all is so much to be desired. Surely the children are not better than their parents, who now sit with us in the jury box, the legislative hall, and are daily to be seen in the same public conveyances. Therefore I can see no reason why the white and colored children cannot attend the same public school.

What we desire, Mr. Speaker, is to have the cloud of proscription removed from our horizon, that we may clearly see our way to intellectual and moral advancement. This is nothing more than what all good citizens desire to enjoy and ought to have. I therefore favor the passage of the Senate bill now on your table.

This being done, complaints will cease, for we can then justly say, let "caps, hands, and tongues applaud it to the clouds;" the republican party has been just and true to its pledges. [\(2\)](#)

1. 3 Cong. Rec. 956-957 (1875).

2. 3 Cong. Rec. 958-960 (1875).