

therefore null and void. The new Constitution is now ratified, and will become the fundamental law of the land, whenever Congress shall signify its acceptance. Under its provisions, the whole people will have the inestimable right to vote ; and I am unwilling to believe that Congress will sanction the unconstitutional and fraudulent scheme of a portion of the people, to usurp to themselves the entire control of affairs, to the exclusion of thousands of the most intelligent and respectable of their fellow-citizens.

NORTHERN SENTIMENT.

Having disposed of this question of usurpation, on the part of the majority of the late Convention, as it regards Constitutional power, I now propose to review the situation of affairs from other aspects, in order that you may have the whole case before you. In doing so, I must advert for a moment, to the state of public opinion which prevailed at the close of the war, on the vexed question of conferring political franchises upon the colored population. You were then, as now, the uncompromising friend of universal suffrage, without regard to race, color, or former condition. But you cannot have forgotten that you had few sympathisers, even among Republicans. The great and good Mr. Lincoln, not long before his death, had signified his willingness to extend a qualified educational suffrage to the black people, coupled, perhaps, with the ownership of property ; and there were not many members of either house of Congress who were willing to go beyond this point, by their votes, whatever some of them might think and say privately. They feared the revulsion of public sentiment at home, which has since developed itself, in the elections, in Connecticut, New Jersey, New York, Pennsylvania, Ohio, Michigan, and perhaps in other States, which have rejected the proposition to give suffrage to negroes, by decisive majorities. It is too true that the Northern people are unfriendly to civil and political equality with black men ; and the prejudice is by no means confined to copperheads and rebel sympathisers.

Taking into view the difference in the numbers of the colored people in the two sections, I am inclined to the opinion that the prejudice against color is stronger in the Northern than the Southern States ; and I cannot doubt, if the conditions were reversed—if the North contained the bulk of the black population—that we should see exhibitions of violent opposition to "negro equality," corresponding to those which are witnessed here.

THE ORIGINAL CONSTITUTION OF NORTH CAROLINA.

In support of the remark that the prejudice against color is stronger in the Northern than the Southern States, I refer you to the fact that North Carolina, by her Constitution, framed in 1776, extended suffrage to the free people of color, at a time when the privilege was denied to them in New York, Pennsylvania and New Jersey, and I believe, in most, if not all of the New England States. Tennessee, the child of North Carolina, received this principle of even-handed justice, to the free colored race, from the latter ; and in both States the franchise was practically enjoyed by that unfortunate class, until about the years 1834 and 1835. The exclusion which was then engrafted upon the amended State Constitutions, in violation of every legal and equitable principle, was one of the consequences of the great reaction which followed the Southampton Insurrection, of 1831. William Gaston and other members of the Convention of 1835 opposed the outrage which was done to the colored men, but to no purpose. The fears of some, and the prejudices and passions of others, conspired to enact the great injustice into the forms of fundamental law ; and thus, after enjoying for sixty years a Constitution as free as that of Massachusetts is to-day—in which there was no covert under which slavery in any of its forms could hide itself—North Carolina relapsed into the narrow and illiberal policy which prevailed in Pennsylvania, New Jersey, and other States North and South of her.

If we consider the large number of negro slaves which the State contained in 1776, the liberality which was manifested towards the free blacks, is as surprising as it is honorable to the great and patriotic men who framed the Constitution. You will allow that that instrument is a noble memorial of the great-souled patriotism and love of freedom which prevailed in North Carolina ; and that it places our public men far above those of the Northern States of that day. North Carolina was liberal and

cognize their greivous mistake, and to repent of it, when it is too late. The repugnance of the disfranchised class to the measure was natural, but not disinterested and patriotic. The rejection of the amendment by the States most concerned laid open the whole question of reconstruction, a third time. Congress in this emergency acted on the conviction that it was necessary to take some safe security for the loyal and equitable conduct of communities which had rebelled against the government, in order that they might be unrestrained in the management and propagation of slavery. To this end, the series of reconstruction acts were passed. They embrace the Constitutional Amendment as a part of the policy of reconstruction; and to insure its adoption, and to secure a loyal majority in the States, two other conditions were annexed to the terms of restoration. The right of suffrage, as well as the right to hold office, was taken away from the governing class, and at the same time, every negro and person of African descent in the ten States was enfranchised. I confess I thought these hard conditions. The utter incapacity of the negroes to exercise the elective franchise with discretion and for the best good of the State was manifest. But it was believed that at least, they would be true to themselves, and that they would vote for none but avowed friends to their rights. I never doubted them on this point, even when the demagogues who now lead them on to the destruction of whatever was venerable and valuable in the institutions of the past, were afraid to trust them, and opposed their enfranchisement. The trouble is that they will vote for any man who makes a noisy demonstration of devotion to their rights, without the slightest regard to his past public career, or to his private character; and the result is, that they have placed the control of the State and its affairs in the hands of men who rose to eminence, or notoriety, as the champions of slavery and secession; or to wealth as dealers in slaves. I regret to say, also, that they elected quite a number of their own race, to the late Convention, and again to the legislature, most of whom could not stand an examination before a Massachusetts committee empowered to ascertain the educational qualification of voters. Men have been elected as judges of the circuit court who obtained their licenses to practice law within six months past. One of the "judges" is said never to have been licensed as a lawyer; and others, on account of character and qualifications, would be regarded as presumptuous if they should aspire to the office of justice of the peace in a well ordered and enlightened community. Still others, of both races, have been elected to office, who have been either convicted of or indicted for murder and other infamous crimes. The number of felonious aspirants for office, with their success and failure, would form a curious statistical inquiry. The vindictive partizan may exclaim that the rule of such men will be good enough for rebels. But the statesman, whose reputation for all time will rest upon the wisdom and success of his measures, must act on more generous principles, if he would have his name held in honor by future generations.

UNJUST AND IMPOLITIC TO DISFRANCHISE THE WHITES.

If it was necessary to enfranchise the whole illiterate black population, and in that policy, though not without misgivings I acquiesced, it, alone, was a sufficient guarantee of the loyalty of the South. When that great measure was resolved on, Congress ought by no means to have taken a step backwards, as it regards the enfranchisement of the white people. The National dignity may require that certain prominent leaders in the rebellion should be disfranchised; but when the whole black population was admitted to the polls, the whites, with these exceptions, should have been released from political disabilities. The consequence would have been a far more cheerful acquiescence in the elevation of the colored people, a comparative freedom from the bitterness towards the North, which a sense of wrong and degradation has implanted in the bosoms of the whites, and a more creditable issue of the experiment of introducing a million of emancipated slaves to the enjoyment of political franchises. The government should act on a principle. It should free all by a general act of amnesty, and not "peddle out amnesty" to the highest bidders. The latter course is sure to draw to the ranks of the dominant party all the more facile and mercenary classes; while men of honorable and independent minds, to avoid the suspicion of a base compliance, if for no other reason, will stand aloof.

It was, at best, a very hazardous experiment to enfranchise the whole illiterate black population at one fell stroke; but to accompany so radical a change by the disfranchisement of the governing class of whites, was to turn society upside down. In Great Britain it would be only paralleled if the nobility, the gentry, the professional and the mercantile classes were all put under the ban, while the lowest of the working