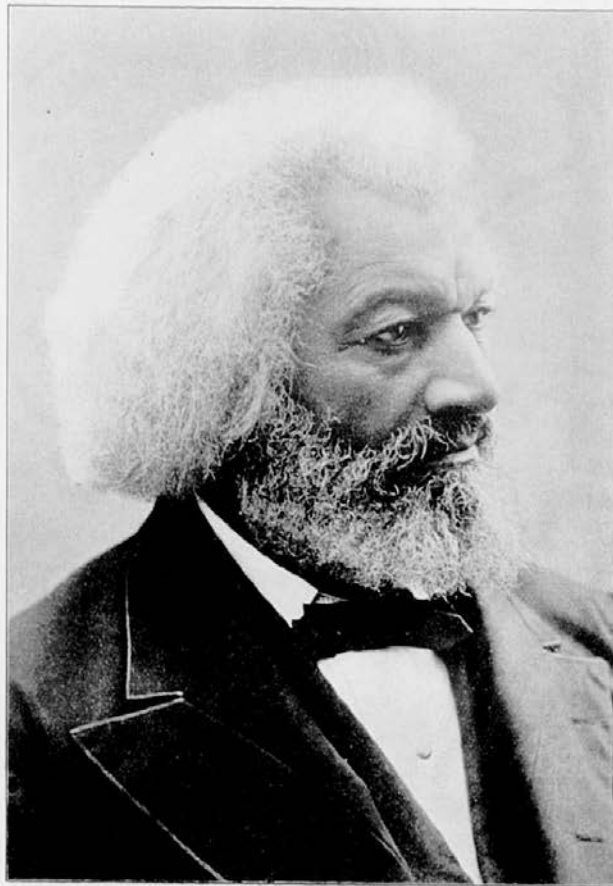
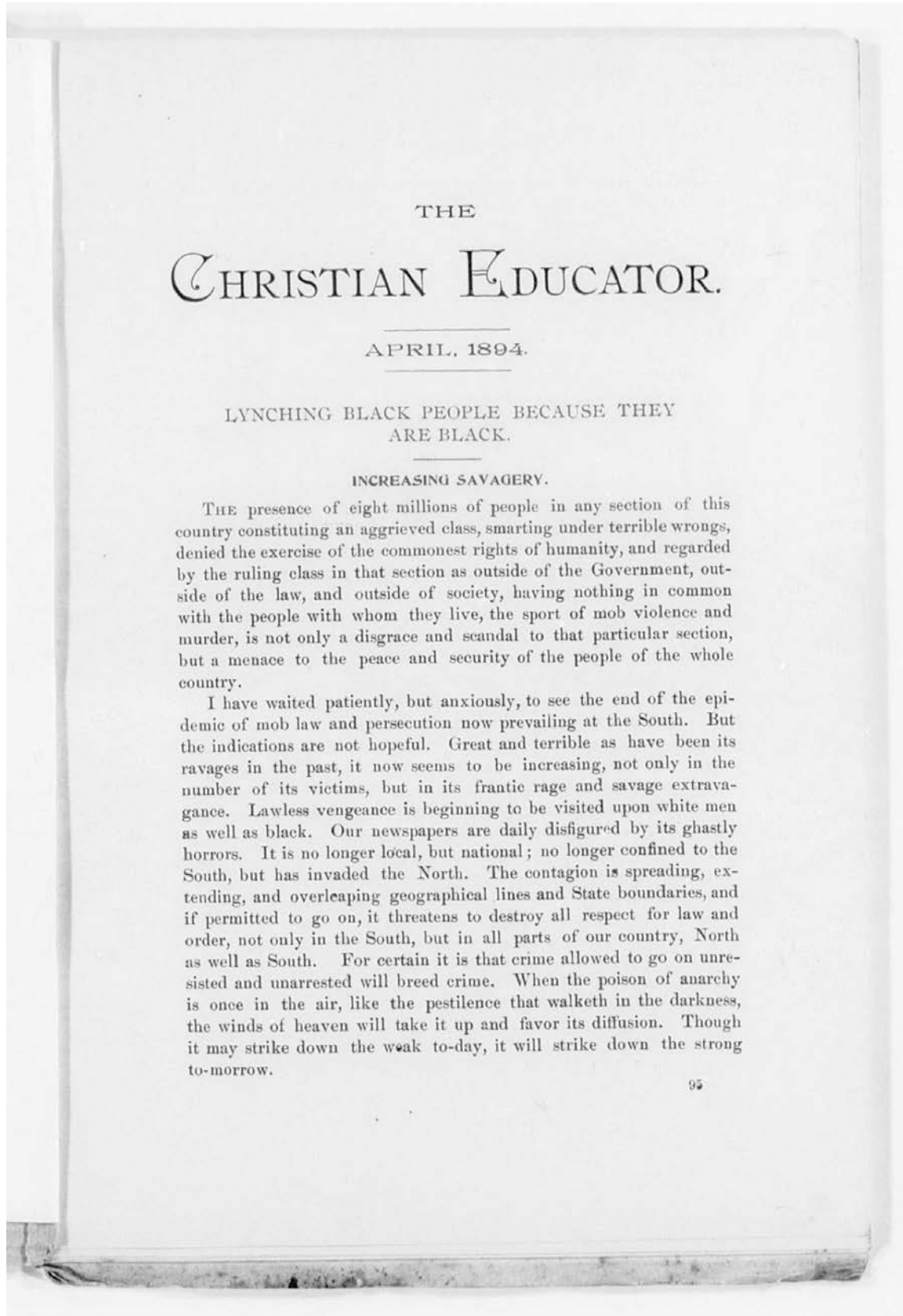


**“Lynching Black People Because They Are Black”
by Frederick Douglass, April 1894 (pg.1)**



Frederick Douglass

“Lynching Black People Because They Are Black” by Frederick Douglass, April 1894 (pg.2)



Courtesy of Library of Congress, Douglass, Frederick, "Lynching Black People Because They Are Black," Christian Educator, April 1894

“Lynching Black People Because They Are Black” by Frederick Douglass, April 1894 (Transcribed Excerpt)

Transcribed Excerpts from "Lynching Black People Because They Are Black" by Frederick Douglass, April 1894

Increasing Savagery

The presence of eight millions of people in any section of this country constituting an aggrieved class, smarting under terrible wrongs, denied the exercise of the commonest rights of humanity, and regarded by the ruling class in that section as outside of the Government, outside of the law, and outside of society, having nothing in common with the people with whom they live, the sport of mob violence and murder, is not only a disgrace and scandal to that particular section, but a menace to the peace and security of the people of the whole country.

I have waited patiently, but anxiously, to see the end of the epidemic of mob law and persecution now prevailing at the South. But the indications are not hopeful. Great and terrible as have been its ravages in the past, it now seems to be increasing, not only in the number of its victims, but in its frantic rage and savage extravagance. Lawless vengeance is beginning to be visited upon white men as well as black. Our newspapers are daily disfigured by its ghastly horrors. It is no longer local, but national; no longer confined to the South, but has invaded the North. The contagion is spreading, extending, and overleaping geographical lines and State boundaries, and if permitted to go on, it threatens to destroy all respect for law and order, not only in the South, but in all parts of our country, North as well as South. For certain it is that crime allowed to go on unresisted and unarrested will breed crime. When the poison of anarchy is once in the air, like the pestilence that walketh in the darkness, the winds of heaven will take it up and favor its diffusion. Though it may strike down the weak to-day, it will strike down the strong to-morrow.

Not a breeze comes to us now from the late rebellious States that is not tainted and freighted with Negro blood. In its thirst for blood and its rage for vengeance, the mob has blindly, boldly, and defiantly supplanted sheriffs, constables, and police. It has assumed all the functions of civil authority. It laughs at legal processes, courts, and juries, and its red-handed murderers range abroad unchecked and unchallenged by law or by public opinion. Prison walls and iron bars are no protection to the innocent or guilty, if the mob is in pursuit of Negroes accused of crime. Jail-doors are battered down in the presence of unresisting jailers, and the accused, awaiting trial in the courts of law, are dragged out and hanged, shot, stabbed, or burned to death, as the blind and irresponsible mob may elect...

The “Better Classes” in the South

Such, then, is the state of Southern civilization in its relation to the colored citizens of that section; and though the picture is dark and terrible, I venture to affirm that no man North or South can deny the essential truth of the picture.

Now, it is important to know how this state of affairs is viewed by the better classes of the Southern States. I will tell you; and I venture to say if our hearts were not already hardened by familiarity with such crimes against the Negro, we should be shocked and astonished by the attitude of these so-called better classes of the Southern people and their lawmakers. With a few noble exceptions, the upper classes of the South are in full sympathy with the mob and its deeds. There are few earnest words uttered against the mob or its deeds. Press, platform, and pulpit are either generally silent, or they openly apologize for the mob. The mobocratic murderers are not only permitted to go free, untried and unpunished, but are

“Lynching Black People Because They Are Black” by Frederick Douglass, April 1894 (Transcribed Excerpt)

lauded and applauded as honorable men and good citizens, the guardians of Southern women. If lynch law is in any case condemned, it is only condemned in one breath, and excused in another.

The great trouble with the Negro in the South is, that all presumptions are against him. A white man has but to blacken his face, and commit a crime to have some Negro lynched in his stead. An abandoned woman has only to start the cry that she has been insulted by a black man, to have him arrested and summarily murdered by the mob. Frightened and tortured by his captors, confused into telling crooked stories about his whereabouts at the time when the alleged crime was committed, and the death penalty is at once inflicted, though his story may be but the incoherency of ignorance or distractions caused by terror.

Now, in confirmation of what I have said of the better classes of the South, I have before me the utterances of some of the best people of that section, and also the testimony of one from the North, a lady, from whom, considering her antecedents, we should have expected a more considerate, just, and humane utterance.

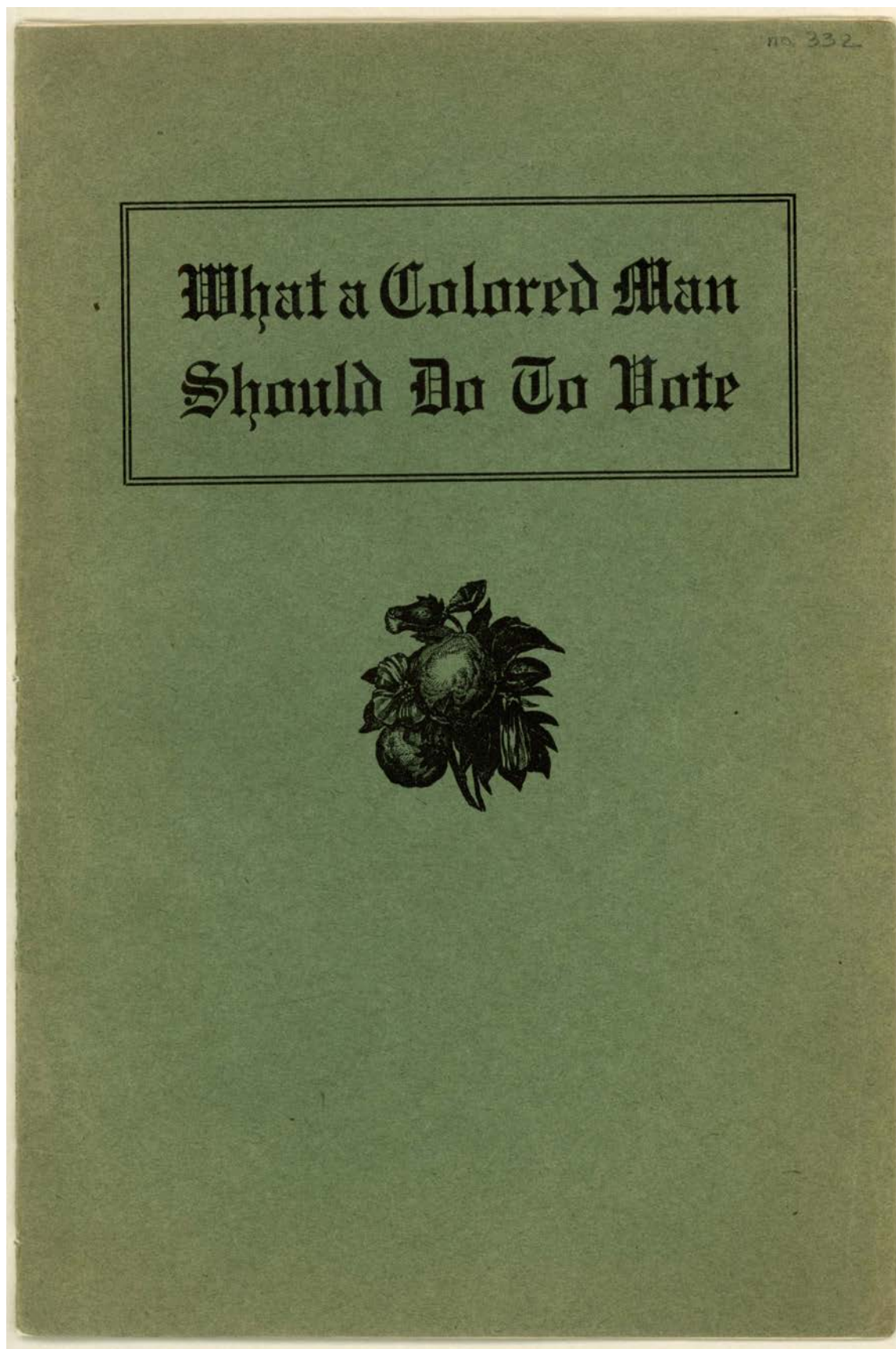
Amazing Utterances

In a late number of the Forum, Bishop Haygood, author of “Our Brother in Black,” says that “the most alarming fact is, that execution by lynching has ceased to surprise us. The burning of a human being for any crime, it is thought, is a horror that does not occur outside of the Southern States of the American Union, yet unless assaults by Negroes come to an end, there will most probably be still further displays of vengeance that will shock the world, and men who are just will consider the provocation.”

In an open letter addressed to me by Ex-Governor Chamberlain, of South Carolina, and published in the Charleston News and Courier, a letter which I have but lately seen, in reply to an article of mine on the subject, published in the North American Review, the ex-governor says: “Your denunciation of the South on this point is directed exclusively, or nearly so, against the application of lynch law for the punishment of one crime, or one sort of crime. The existence, I suppose, I might say, the prevalence of this crime at the South is undeniable. But I read your [my] article in vain for any special denunciation of the crime itself. As you say, your people are lynched, tortured, and burned for assault on white women. As you value your own good fame and safety as a race, stamp out the infamous crime.” He further says, the way to stop lynching is to stamp out the crime.

And now comes the sweet voice of a Northern woman, of Southern principles, in the same tone and the same accusation--the good Miss Frances Willard, of the Women’s Christian Temperance Union. She says in a letter now before me: “I pity the Southerner. The problem on their hands is immeasurable. The colored race,” she says, “multiplies like the locusts of Egypt. The safety of woman, of childhood, of the home, is menaced in a thousand localities at this moment, so that men dare not go beyond the sight of their own roof-tree.” Such, then, is the crushing indictment drawn up against the Southern Negroes--drawn up, too, by persons who are perhaps the fairest and most humane of the Negro’s accusers. But even they paint him as a moral monster, ferociously invading the sacred rights of women and endangering the homes of the whites.

**“What a Colored Man Should Do To Vote”
Pamphlet from Virginia, 1900 (pg.1)**



“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.2)

To the Colored Men of Voting Age in the Southern States



AS citizens of the United States you cannot value too highly your right to vote, which is an expression of your choice of the officers who shall be placed in control of your nearest and dearest interests.

You should vote at every election. In National and congressional elections vote for the best interests of the country. In local elections vote for the best interests of the community in which you live.

NEVER SELL YOUR VOTE.

“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.3)

The Things that Qualify a Colored Man to Vote in the Southern States



IN order that you may know what will be demanded of you to vote under the Constitutions and laws of the several Southern States, we give below the substantial requirements of each, to wit :—

IN Alabama, Louisiana, Mississippi, North Carolina, South Carolina, Virginia and Tennessee

YOU MUST PAY YOUR POLL TAX.

YOU MUST REGISTER AND HOLD YOUR CERTIFICATE OF REGISTRATION.

If you can read and write you can register.

IN Alabama, Louisiana and South Carolina

If you cannot read and write you can register if you own \$300 worth of property.

IN Arkansas and Georgia

YOU MUST PAY YOUR POLL TAX.

IN Florida, Kentucky, Texas and West Virginia

You must reside in the State.

A man convicted of almost any crime may be barred from voting.

“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.4)

Alabama

Must reside in the State two years, one year in the County and three months in the election precinct.

Poll taxes for 1901 and each year since then must be paid before the first of February prior to the election.

Persons over forty-five years of age are exempt from poll tax.

Must be registered and hold a certificate of registration.

In order to register, must be able to read and write any Article of the Constitution of the United States, and must be regularly engaged in some work, employment, business, trade or calling, the greater part of the year before election, unless physically unable to work.

A person who cannot read and write, must own, or his wife must own forty acres of land upon which he must live, or must own real and personal property assessed at three hundred dollars, or his wife must own the same, upon which the taxes for the year before election must be paid.

Any person convicted of felony, adultery, larceny, wife-beating, miscegenation, vagrancy, selling or offering to sell his vote, is forever barred from voting.

Arkansas

Must reside one year in the State, six months in the County, and one month in the election precinct.

Must exhibit a poll tax receipt or other evidence that the poll tax has been paid at the regular time for collecting such tax.

Florida

Must reside one year in the State and six months in the County.

Georgia

Must reside one year in the State and six months in the County. Must have paid all taxes prior to election.

The poll tax required shall not exceed one dollar annually.

“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.5)

Kentucky

Must reside one year in the State, six months in the County, and sixty days in the precinct.

Must be registered in cities and towns of five thousand inhabitants.

Louisiana

Must reside two years in the State, one year in the parish and six months in the election precinct.

Must be registered and in order to do so, must be able to read and write, and shall demonstrate such ability to the registrars.

If unable to read and write, must own property assessed at three hundred dollars, on which, if personal, all taxes must have been paid.

Persons under sixty years of age must also pay a poll tax of one dollar annually, on or before the 31st day of December, for two years next before the time of voting, and shall exhibit such poll tax receipt for two years to the election officer at the polls.

Mississippi

Must reside in the State two years and one year in the election district or incorporated town or city.

Must have paid all taxes on or before the first day of February of the year of the election, and shall produce his tax receipts to the election officers.

Persons under sixty years of age must pay an annual poll tax of two dollars to the State, which may be increased one dollar by the County.

Must be registered, and in order to do so must be able to read any section of the Constitution of the State, or shall be able to understand the same when read, or give a reasonable interpretation thereof.

By a decision of the Supreme Court, a person otherwise qualified has a right to be registered whether his taxes are paid or not.

Any person convicted of felony, adultery, larceny, wife-beating or miscegenation is forever barred from voting.

“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.6)

North Carolina

Must reside in the State two years, in the County six months, and four months in the precinct or ward.

Must be registered and in order to do so, must be able to read and write any section of the Constitution, and shall have paid on or before the first day of May, an annual poll tax of two dollars for the previous year.

Persons over fifty years of age are exempt from poll tax.

South Carolina

Must reside in the State two years, in the County one year, and four months in the polling precinct.

Must be registered, and in order to do so must be able to read and write any section of the Constitution submitted by the registrars, and if unable to read and write, must prove to the satisfaction of the registrars the ownership of three hundred dollars worth of property in the State, upon which all taxes for the previous year must have been paid.

All poll tax must be paid six months before election, and tax receipts showing the payment of all taxes including the poll tax shall be shown to the election officer at the polls.

Any person convicted of felony, adultery, larceny, wife-beating or miscegenation is forever barred from voting.

Tennessee

Must reside in the State one year, in the County six months. A poll tax receipt for the previous year shall be shown to the judges of election.

Persons over fifty years of age are exempt from poll tax.

Must be able to mark the ticket at election without assistance.

In precincts or civil districts with a population of fifty thousand, and in towns and cities of two thousand five hundred, must be registered.

Any person convicted of felony, bribery or larceny is forever barred from voting.

“What a Colored Man Should Do To Vote” Pamphlet from Virginia, 1900 (pg.7)

Texas

Must reside in the State one year, and in the County six months.

An annual poll tax of one dollar and fifty cents is required of persons under sixty years of age, but this is not a prerequisite to the exercise of the right to vote.

Virginia

Must reside in the State two years, in the County one year, and in the precinct thirty days.

Must pay all State poll taxes, for three preceding years, at least six months before election.

Must be registered, and in order to do so, shall be able to make application for the same in writing, and must answer on oath any and all questions put by the registrars affecting qualifications.

Any person convicted of felony, bribery, petit larceny or obtaining money or property under false pretenses is forever barred from voting.

West Virginia

Must reside in the State one year, and in the County sixty days. The right to vote shall never be denied because not registered.

General Advice

You are urged to pay all of your taxes at the required time, and especially your poll tax which is by the Constitution of every Southern State made a special fund for the support of the free public schools.

You are also admonished against the commission of any crime, great or small, as the conviction of almost any crime will deprive you of your right to vote, and put upon you lasting shame and disgrace.

It is especially urged that as voters you should seek to be on friendly terms with your white neighbors in the communities in which you live, so that you may consult with them about your common interests; and that you should ally yourselves with the best people in your community for the general good. It is of the utmost importance to the race, and it cannot be urged too strongly upon your attention that nothing should influence your vote except a desire to serve the best interests of the country, and of your State.

Illustration from "The Exodus," 1919



Lewis fell upon his knees and with upraised hands implored: Don't Marse Bob Your daddy, Marse Lucius, wasn't dat mean in slavery time!"

"Oh hell Nigger, this aint slavery time. You are free now and must pay your debts or be killed. My daddy owned you in slavery time. The only way I can get what I want out of you is to kill you if you don't do as I say!"

“Great Migration Railroad Strike 100 Years Ago Brought an Influx of African-Americans to Waterloo” Newspaper Article, February 1, 2011 (pg.1)

Great Migration Railroad strike 100 years ago brought an influx of African-Americans to Waterloo



By Pat Kinney, Feb 1, 2011 Updated Feb 21, 2011

WATERLOO, Iowa --- You won't find a more enthusiastic goodwill ambassador for Waterloo than Roosevelt Taylor.

Now 83, he came to Waterloo from Water Valley, Miss., in his teens to live with his grandfather. He's spent most of his life here except for a stint in the U.S. Army.

He earned a good living at John Deere and volunteered with a number of organizations, including Disabled American Veterans, Knights of Pythias and as a board member of the largest credit union in the state, Veridian, formerly John Deere Community Credit Union.

But he knows about the old days. The bad old days. The days when being black in Waterloo was not just a disadvantage but downright dangerous.

He heard about those days from his grandfather, George Martin, who came to Waterloo from Mississippi 100 years ago. He was one of hundreds of African-Americans who came to Waterloo to work on the railroad.

"The Illinois Central went down South and asked people whether they wanted to go to the Promised Land," Taylor said. "They got a whole bunch of people, brought them back and unloaded them in the shop yard."

The arriving blacks found out they would be taking the jobs of striking railroad workers, who were predominantly white.

"They (railroad officials) told the strikers, 'If you don't go back to work, they (the black workers) will be on your job tomorrow,'" Taylor related.

Courtesy of Waterloo-Cedar Falls Courier, Kinney, Pat, "Great Migration Railroad strike 100 years ago brought an influx of African-Americans to Waterloo," Waterloo-Cedar Falls Courier, 1 February 2011

“Great Migration Railroad Strike 100 Years Ago Brought an Influx of African-Americans to Waterloo” Newspaper Article, February 1, 2011 (pg.2)

The newcomers had two strikes against them: They were black, and they were strikebreakers. This year marks the 100th anniversary of the beginning of that strike, and with it, the major influx of what became Waterloo's present-day African-American population.

Those early African-American railroad workers and their families were settled in a neighborhood along the tracks near East Fourth Street, having been denied housing elsewhere. Some lived in rail boxcars. When they had to venture out into the community, they didn't go alone.

“When someone wanted to go to the store, they'd go out in groups,” Taylor said. “If they got a guy by himself, you wouldn't see him no more after that.”

They could have been killed, or they just disappeared.

Despite those animosities and dangers, Waterloo's African-American population became an integral part of the community.

According to research by former University of Northern Iowa visiting professor Cliff Weston, in 1910 there were only 24 nonwhite residents in Black Hawk County. By 1915 that number had grown to 395. The population would grow to nearly 10,000 today, or 14.5 percent of the city's population according to the 2000 census.

According to the State Library of Iowa Data Center, and the Iowa Commission on the Status of African Americans, Waterloo has the second-highest African-American population in Iowa, surpassed only by Des Moines. Black Hawk County has the highest percentage African-American population in the state.

Waterloo led the way

What happened in Waterloo was part of the so-called “Great Migration” of African-Americans from the South to the North in the early 20th century. Waterloo was not only part of that migration, but on the leading edge of it, scholars said.

“Waterloo experienced African-American migration before most of the rest of the nation,” Grout Museum District historian Bob Neymeyer said.

“I think Waterloo's a really great case study of the Great Migration in general,” said John Baskerville, an associate professor of history at the University of Northern Iowa. “Because many of the motivating factors that precipitated the migration nationwide happened here in Waterloo.

“Basically, these people were running away from some things, but they're also being pulled by other things,” Baskerville said. “The South was not the best place to live in the early 1910s at all because of lynching and lack of political rights and so forth. Agriculture was in decline because of the boll weevil. Those things were social factors and economic factors that were pushing them out of the South.

“But also there was a lure in the North,” he said. “Businesses and industries were needing workers.”

With the onset of World War I, immigration slowed. The supply of workers slowed down. Southern blacks provided a ready labor pool.

“But also, as in the case of Waterloo, we see African-Americans being used as strikebreakers,” Baskerville said.

Unskilled and semi-skilled Illinois Central workers walked out with skilled workers railroad in a show of solidarity.



“Great Migration Railroad Strike 100 Years Ago Brought an Influx of African-Americans to Waterloo” Newspaper Article, February 1, 2011 (pg.3)

The railroad called in professional strikebreakers to fill the skilled positions, but still needed unskilled and semi-skilled workers. The Illinois Central had purchased the Yazoo line in Mississippi, a small local carrier that employed blacks. Many blacks left for better economic opportunities in Waterloo having no idea that they would arrive as strikebreakers.

“When they got here, they entered a very hostile environment,” Baskerville said. “Any time you put someone’s economic well being at risk, you’re going to get this violent reaction. Sure, race relations in this area were not great to begin with, but the very fact they were now competing for these jobs with white workers with jobs they thought were rightfully theirs caused this very hostile environment.

“That’s one of the reasons they had difficulty finding housing, because of the racial stereotypes that exist, but (also) just because no one wanted to be connected with the strikebreakers in Waterloo,” Baskerville said. “Everyone was hostile toward them.”

Settling in an unsettled time

But as black workers settled and improved their standard of living they sent for their families, or started families. The migration was regarded as an invasion by the indigenous Waterloo population.

“What do we do with this invading force? We have to keep them separated.,” Baskerville said.

They settled them in what is now know as the “African-American triangle” along the IC tracks.

“That area was kind of infamous before they even moved there,” Baskerville said. “That was the area they called ‘Smokey Row’ for a number of reasons. That was more or less the vice district, where no one else wanted to live.” It also happened to be near the railroad yard where they worked.

Grout historian Neymeyer noted many white Illinois Central strikers left the area or found other work, including Italians who went to work for the Chicago Great Western in Oelwein. That left blacks to retain many of the Illinois Central jobs after the strike. While they were restricted to lower paying jobs, those positions still offered a better standard of living than their previous situations in Mississippi.

As neighborhood and families developed, so too did the black community, which began to stand up for itself.

“One of the things they tried to do was to make that neighborhood their own,” Baskerville said. “They wanted those elements --- the gambling houses, the liquor houses and even the prostitution --- to get out of their neighborhoods. They were pushing the leaders of Waterloo to make changes.

“One of the first things they built were the churches.”

Payne African Methodist Episcopal Church and Antioch Baptist Church, among others, became a forum for blacks to express opinions on community issues.

Ministers like the Rev. I.W. Bess, an AME minister, successfully petitioned city leaders to lift a whites-only rule at city beaches, and also to get the racially objectionable D.W. Griffith film “Birth of a Nation” removed from local theaters. An NAACP chapter organized in the early 1920s

Blacks would struggle long and hard over the balance of the century to attain local empowerment and a voice in the community. But that community took deep and lasting root in the area of the railroad.

By the time young Roosevelt Taylor came to live with his grandfather in the 1930s and ‘40s, Waterloo was still far from the “promised land” railroad officials had described a generation earlier. But the city offered much greater opportunity to a new generation of African-Americans, who succeeded in spite of lingering social restrictions.

“It never bothered me,” Taylor said. “I always liked Waterloo. And that’s why I’m still here.”

"Why Disfranchisement is Bad," 1904 (pg.1)

Why Disfranchisement is Bad

By ARCHIBALD H. GRIMKÉ

IF the disfranchisement of the negro by the South could settle permanently the negro question, I think that the action of that section would find its justification in that achievement, according to the jesuitical principle that the end justifies the means. But can disfranchisement of the negro settle the negro question? First: Can it do so for the negro? Second: Can it do so for the South? Third: Can it do so for the rest of the nation? I do not think that it can do so for the negro, or for the South, or for the rest of the nation. And unless disfranchisement of the negro settles this question in its three-fold aspect, it will not settle it in such a way that it will long stay settled. If the negro refuse to abide by such a settlement, the question will not be so settled merely because the South has decided so to settle it. Neither can the South of to-day settle the question by disfranchisement, if disfranchisement of the negro be found in operation to injure the South of to-morrow much more deeply than it does the negro. For what is bad for the negro to-day will be found to be still worse for the South to-morrow. The South must, therefore, awake some time to this fact, unless she is indeed stricken with that hopeless madness by which the gods intend to destroy her. But even if the South and the negro agree so to settle the question, the question will not be permanently settled if the North, if the rest of the nation, refuses eventually to form a party to the compact. For the rest the nation, quite independently of the action of the South and the acquiescence of the negro, will have something, something very decisive to say ultimately about the settlement of this question. The North has, in reality, quite as much at stake in its settlement as either the negro or the South. Disfranchisement will not, therefore, prove a permanent settlement of the

negro question if it be found in operation to affect injuriously Northern and national interests, or to work badly in the conduct of governmental affairs in respect to those interests.

I.

Can disfranchisement settle the question for the negro? I do not think it can; I am sure that it will not, for the simple and sufficient reason that the negro will not consent to such a settlement—a settlement which virtually decitizenizes him, and relegates him to a condition of practical servitude in the republic. He has tasted freedom, he has tasted manhood rights, he has tasted civil and political equality. He knows that his freedom, his American citizenship, his right to vote, have been written into the Constitution of the United States, and written large there in three great amendments. He knows more: he knows that he himself has written his title to those rights with his blood in the history of the country in four wars, and he is of the firm belief that his title to them is a perfect one.

No party, no State, no section, can, therefore, deprive him of those rights without leaving in his mind a sense of bitter wrong, of being cheated of what belongs to him, cheated in defiance of law, of the supreme law of the land, and in spite of his just claim to fairer treatment at the hands of his fellow-countrymen. He will understand that this enormity was committed against him on account of his race and color. He will see that it was done by the white race—a race that has ever wronged him, that has never failed to take from him, because it had the power, whatever he cared most for in the world. Nothing could possibly make him, under such cruel circumstances, love such a race, such an enemy. He will learn to hate the white race, therefore, with all the strength of rancor of centuries of accumulated outrages and oppressions.

From July, 1904 number The Atlantic Monthly. Copyright 1904, by Houghton, Mifflin & Co.

"Why Disfranchisement is Bad," 1904 (pg.2)

The relation of the two races in the South could not, then, be one of mutual respect, confidence and good will. It would become, on the contrary, one of mutual fear, distrust and hatred. The whites would fear, distrust, and hate the negro, and that increasingly, because they had so deeply wronged him; and the negro would return this fear, distrust and hatred with a measure heaping up and running over, not openly, like the whites, to be sure, but covertly, cunningly, because of his weakness. He would live his life, his deeper life, more and more apart from the whites, live it in an underworld of which no white man would be able to get more than a glimpse, and that at rare intervals. It would be an underworld in which his bitter sense of wrong, his brooding miseries, his repressed faculties of mind, his crushed sensibilities, his imprisoned aspirations to be and to do as other men, his elemental powers of resistance, his primitive passions, his savage instincts, his very despair, would burn and rage beneath the thin crust of law and order which separates him from the upper world of the white race, his implacable foe and oppressor. Through this thin crust of law and order there will perforce break at times some of that hidden fire, some of that boiling lava of a race's agony and despair. There will be race feuds, race conflicts, as certainly as winds will blow, but no one will be deeply enough versed in the movements of these stormy, these fiery currents and visitations from the abysses of that underworld of the negro, to be able to discover their formation, to foretell their coming, or to forecast their extent and duration.

So far as the negro is concerned, then, to disfranchise him will not settle the negro question. It will do anything else better than that. For it will make trouble, and no end of it. It will certainly make trouble if he rise in the human scale in spite of the wrong done him. Does any one think that he will ever cease to strive for the restoration of his rights as an American citizen, and all of his rights, if he rise in character, property and intelligence? To think the contrary is to think an absurdity. But if he fall in the human scale in consequence of the wrong done him, he will surely drag the South down with him. For he and the South are bound the one to the other by a ligament as vital as

that which bound together for good or bad, for life or death, the Siamese twins. The Enceladian struggles of the black Titan of the South beneath the huge mass of the white race's brutal oppressions, and of his own imbruted nature, will shape peace out of the land and prosperity out of the Southern States, and involve, finally, whites and blacks alike in common poverty, degradation, and failure in the economic world, in hopeless decline of all of the great social forces which make a people move upward and not downward, forward and not backward in civilization.

II.

Disfranchisement of the negro is bad for the South. It is bad for her, in the first place, on account of the harmful effect produced by it on her black labor. It makes a large proportion of her laboring population restless and discontented with their civil and social condition, and it will keep them so. It makes it well-nigh impossible for this restless and discontented labor class to make the most and the best of themselves with the limited opportunities afforded them, with the social and political restrictions imposed by law upon them. It hinders employers of this labor from producing the largest and the best results with it, for the same cause. For to obtain by means of this labor the largest and best results, employers of it ought to do the things, ought to seek to have the State do the things, which will tend to reduce the natural friction between labor and capital to its lowest terms, to make labor contented and happy, surely not the things which will have the opposite effect on that labor. Otherwise, the energy which ought to go into production will be scattered, consumed, in contests with capital, in active or passive resistance to bad social and economic conditions, in effective or ineffective striving to improve those conditions.

Every labor class has but a given amount of energy, I take it, to devote to production. How much of this energy may be available for productive purposes depends on its social condition, whether it is contented or discontented, getting on in the world, getting ahead in material well-being and well-doing; on its economic condition, whether it is intelligent or ignorant, efficient or inefficient; on its civil condition, its legal status, whether it

“Why Disfranchisement is Bad,” 1904 (pg.3)

enjoys equal laws and equal opportunities with other labor classes in the struggle for existence, in the battle for bread, or whether it is crippled, obstructed instead, by unequal laws, by artificial restrictions which are made to apply to its activity alone.

The grand source of wealth of any community is its labor. The warfare which nation wages against nation to-day is not military, but industrial. Competition among nations for markets for the sale of their surplus products is at bottom a struggle of the labor of different nations for industrial possession of those markets, for the industrial supremacy of the labor of one country over the labor of other countries. Industrialism, commercialism, not militarism, mark the character of our twentieth-century civilization. That country, therefore, which takes into this industrial rivalry and struggle the best trained, the most completely equipped, the most up-to-date labor, will win over those other countries which bring to the battle for world markets a body of crude, backward and inefficient labor. Education, skill, quality, tell in production; tell at once, and tell in the long run. It is now well understood that the most intelligent labor is the most profitable labor. Ignorant labor is certainly no match in world markets for intelligent labor. It is no match in home markets either. Quality, intelligence, will prevail in such an industrial contest; whether in agriculture, manufactures, mining or commerce.

But to get the best and most out of labor, it must not only be intelligent, it must also be free—free to rise or sink in the social scale. It must have a voice in making the laws under which it lives. Otherwise, those laws will operate to hinder, not to help it to make the best fight of which it is capable for possession of home and foreign markets. Without this voice the laws will become more and more unequal and oppressive. A labor class deprived of freedom, of a voice in government, cannot maintain the advantage which mere intelligence and skill may have gained for it in the struggle for existence. As it loses freedom, a voice in government, it will lose ultimately its skill, its intelligence as an industrial factor. For it will become, in effect, subject to, if not exactly the slave of, the capitalistic and labor classes which are free, which make the laws. And these classes will in-

variably act on the assumption that the more ignorant such a subject labor class is, the less trouble it will cause. In their opinion slave labor is more manageable than free labor, gives rise to simpler social conditions, to problems less complex and difficult to handle.

Instead of establishing schools for the education of a labor class deprived of the right to vote, the class which possesses the right will not establish new ones, and will, in addition, endeavor to lower the standard of those already established and then to do away with them entirely. The chief end and purpose of the classes with the right to vote will be, not to raise the average of literacy, of intelligence of the class without that right, but to lower the same in order the better to keep it in a state of permanent industrial subordination and inferiority to themselves. And so the negro labor of the South, deprived of the right to vote, will see its schools diminish in numbers and quality, will get, in one State and then in another, fewer schools and shorter terms, until they reach the vanishing point, where in large portions of the South negro schools will disappear altogether. Under such circumstances negro labor instead of advancing in intelligence and skill, in economic efficiency, will steadily lose the ground gained by it in these respects since the war, and will retrograde to the condition of dense ignorance, of economic inefficiency, which characterized it before that event. Surely slave labor is the most unproductive, the most wasteful labor in the world. As it was not able to compete successfully with the free and intelligent labor of the North before the war, it will not be able to do so to-day or to-morrow. Ignorant negro labor must weight the South down heavily, therefore, in that industrial struggle in which it is now engaged, not alone with the rest of the nation, but with the world. And this means for Southern labor industrial inferiority to the labor of the rest of the nation and of the world. It means for the Southern States ultimate industrial feebleness and subordination to the rest of the nation, and a low order of civilization.

Thus it will be found that disfranchisement, which was intended to make the negro a surfer, to degrade him as a man, to extinguish his ambition, to extinguish his intelligence, to fix

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for him in the State, in society, a place of permanent inferiority and subordination to the white race, has degraded the whole South industrially at the same time, and fixed for her likewise a place of permanent economic inferiority and subordination to the rest of the nation. The huge body of her black ignorance, poverty, and degradation will attract to itself by the social laws of gravitation all of the white ignorance, poverty, and degradation of the entire section. The stupendous mass of this social and industrial wreck, of the ensuing barbarism and crime, and of race hatred and oppression, will whelm in the end in common misery and ruin whites and blacks alike, the whole labor of the South. It is hard to believe that, that section is knowingly, deliberately invoking such a fate, merely for the sake of gratifying its race prejudice against the negro. But whether it knowingly invites such consequences or not, its action invites them. For disfranchisement of the negro means, without doubt, degradation of its black labor, and this in turn the certain degradation of its white labor, and this in turn inevitable industrial feebleness and inferiority, and this in turn ultimate sectional retrogression, poverty, and a low order of civilization. Is the South ready to pay such a ruinous price for disfranchisement of the negro, for the sake of keeping him forever the servitor of the white race? Perhaps she is. It looks so; yet time alone can tell whether that section on this question is at bottom wise or foolish, sane or insane. If it shall turn out that it is really foolish, incurably mad on the negro question, then there is no hope for it within itself. It will persist in running straight upon its destruction. For alas, “Whom the gods would destroy they first make mad.”

III.

It has been shown that disfranchisement of the negro is bad for the negro and for the South. It remains to consider why it is bad for the North, for the rest of the nation. But if it has been demonstrated that disfranchisement is bad for the negro and for the South, it will follow as a logical conclusion that it is bad for the rest of the nation. For whatever injures a part injures the whole. The negro is a part of the South, the South a part of the nation, in as real, as vital a sense as feet and hands are parts of

the human body. Hurt a hand, lame a foot, and the whole body is hurt, lamed at the same time and for the same cause. This is not sentiment. It is fact, it is common sense, it is science. The old fable of the Members and the Belly is as true and timely today as it was in ancient Roman days. Starve the belly and the whole body is starved, suffers in consequence. With-er an arm, shrivel a leg, dim an eye, and the whole body goes maimed and halt and darkened.

Whatever, therefore, renders it impossible for the negro of the South to make the most and the best of himself injures that section, and this injury to the South hurts, in turn, the whole country. For social and economic laws draw no color line, exempt from their impartial operations no race because it happens to be white, but fall equally on all, regardless of artificial distinctions and discriminations, on rich and poor, on strong and weak, on white and black. Southern law and opinion discriminate against the black man and in favor of the white man. Not so the laws of Nature. What harms the negro's body will harm the white man's body. What degrades negro labor will degrade white labor likewise. What heals the white man's body will heal the black man's body. And what elevates white labor will elevate black labor also. This is the higher law,—a law beyond the reach of revised constitutions and American colorphobia to change or nullify—a law which a greater than the Supreme Court interprets and will execute with strict impartiality, neither for nor against the negro, neither for nor against the South, but on whose decision, on whose operation, hang verily the fate of the negro, the fate of the South, and the fate of the nation, at one and the same time.

Our country is seeking to retain old markets and find new ones for the products of its labor, both at home and abroad. That is why it has erected about that labor high tariff walls, to give to it a monopoly of the home market. That is why it is reaching out all over the world for markets for its surplus products. That is why it annexed Hawaii, Porto Rico, and the Philippines. That is why it is in favor of an open door in China. That is why it is going to build the Panama Canal. That is why it is building a great navy. It is looking out for markets with foresight and energy. Is it

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looking out for its labor with equal foresight and energy? Is that policy long or short sighted which has for its object the extension of our markets for the sale of our golden eggs, but does not include any proper care for the barnyard fowl that lays those eggs? American labor is the fowl for whose eggs we are seeking markets the world over. Our national fowl is laying her eggs, is competing with the fowls of other nations. Do we produce better eggs, and are we able to sell them in world markets for less than other nations, our commercial rivals, are able to do? And if so, why are we able to produce a better article, and sell it for less than our competitors? Is it not because our national hen is a better breed of hen than the hens of other nations? Behind the egg is the hen: behind the products of labor is the laborer.

A superior laborer will produce better work and more of it than an inferior one. How comes it that American labor, outside of the South, holds to-day the front rank among the labor of the world, and has held this foremost place for eighty years? Because it is the freest and most intelligent labor in the world. For the freer and more intelligent the labor, the more efficient as an industrial factor will be that labor. The freest and most intelligent labor is the most productive, the most profitable labor. To the superiority of American labor two things have contributed more than any others: the free common school, and the educative and stimulating function exercised on the minds of laboring men by the right to vote, by the part taken periodically by them in government, in the choice of rulers, and in the consideration of public questions. The wits of the children are developed, trained in the public schools; the wits of the adults are educated, sharpened at the polls. Labor thus developed mentally, and disciplined in these two great schools of letters and practical civics, is doubly equipped, doubly armed to defend well its own interests at home and abroad, and to defend those of the country also. It is alert, assertive, thoughtful, resourceful, independent, self-respecting—capable of following and leading. It knows what it wants, what is good for it and what is not. It can take care of itself, can fight its own battle with organized capital at home, and with the rival labor of other countries in world markets. Herein lies the superiority of

the labor of our American industrial democracy at the present time, with that one exception, Southern labor.

If this country is to hold what it has gained in world markets, and to add to the same in the future, can it afford longer to neglect that part of its labor which is south of Mason and Dixon's line? Can it afford much longer to look indifferently on measures which are intended to degrade and enslave any portion of our American labor, while its commercial rivals in world markets are devoting special attention to raising by educational and other means the whole body of theirs? Is the rest of the nation going to give the Southern States a free hand in dealing with the negro, when a free hand in dealing with him means on their part the maintenance of a mass of ignorant, degraded, and inefficient labor? Does not the republic need above all things, in her industrial struggle for existence with powerful rivals, to raise not alone the labor of the East, nor that of the North, nor that of the West, but that of the South as well, to raise its whole vast labor citizenry to the highest state of economic efficiency of which that labor citizenry may be capable? The answer to such questions, God knows, is obvious enough.

The means which have raised the labor of the rest of the nation to its present high state of productivity can raise Southern labor, will raise it in due time, if utilized by that section, to a state of equal economic value and industrial efficiency. The things which have made the labor of the North superior will not do less for negro laborers in the South—freedom, education, equality. Freedom to make the most and the best of themselves as men, as Americans; freedom to fall or rise in the social scale according to merit, not color; education as children in the common schools; education as citizens at the polls; and equality of rights and opportunities with other labor classes, with other groups of Americans regardless of race. When the negro progresses in industrial efficiency, in social well-being and well-doing, the South will progress in these important respects and in others. That section will gain immeasurably, not only in the improved character of its labor, in its heightened value as a producer of wealth, but in its heightened value as a consumer of the staple products of those States and of the commodities exchanged for them in

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other markets. It is needless to add that the North, the rest of the nation, would gain enormously in wealth, in the volume of its Southern trade, from the same causes. It is, then, wisdom to look carefully after every hen, whether black or white, in our national barnyard, after every hen which lays for the republic golden eggs, as well as to look out for the acquisition of new markets abroad for the sale of those eggs. The national hen is of more value than her eggs, American labor, than its products.

IV.

In conclusion, there is yet another view of the subject in which the rest of the nation is vitally interested, and that is its politico-sectional side. No discussion of the question of the disfranchisement of the negro by the South is complete which ignores this aspect of it. For it is an aspect which promises eventually to come very much into notice at the North. At some time in the near or distant future it is going to occupy Northern attention to the exclusion of all other phases of the vexed question, and perhaps of all other questions of national importance besides. For at bottom it involves no less an issue than the old one of political domination between the sections. Possession or control of the government in its three co-ordinate branches has from the adoption of the Constitution been a cause of difference between the North and the South, with their contrary interests and institutions to be protected and promoted by means of the joint action of those branches.

Before the war, slavery as it affected the negro was not objectionable to the free States, but slavery as it affected those States was. It was not slavery as a moral wrong, but slavery as a political evil to which they were opposed. When they came into conflict over this subject with the slave States, it was not for the sake of helping the slaves, but themselves—it was to prevent the evil from growing as a political power, to prevent it from increasing its vote in Congress and in the electoral college, to prevent it from dominating in national affairs, in national legislation. Such domination, the free States had learned by bitter experience, acted injuriously upon their interests. Hence Northern opposition to the extension of slavery, to the admission of new slave States. Nor will the rest of the nation inter-

fere to-day in the matter of Southern disfranchisement of the negro for the sake of the negro, that is, because it is more friendly to him than to the South. Not at all. When the rest of the nation interferes in the final settlement of this question, as it will surely interfere, its interference will have regard solely to itself, to its own interests which shall at that time demand such action. But the North cannot interfere politically in the settlement of this question, whether in behalf of the disfranchised negro, or in protection of its own sectional interests, without mortally offending its sister section, without reviving with new-born bitterness and added intensity the old and fierce rivalry between them, which played such a leading and, at times, violent part in the history of the country for a period of seventy years,—say from 1815 to 1885.

Not the wrong which slavery inflicted upon the negro was, then, the hub of the controversy between the two halves of the Union before the war of the Rebellion, but the undue influence in government which, in the opinion of the Northern, it gave to the Southern half. This undue political influence had its rise in the right of the South under the Constitution to count in the apportionment of representatives among the States five of her slaves as three freemen. This feature of the Constitution was distinctly aristocratic. It certainly was not democratic. For it gave a Southern white man who owned five negro slaves an electoral value in the republic four times greater than that of a Northern white man. This unrepublican, this disproportionate political importance of a Southern slave owner over a Northern freeman produced no end of trouble between the two classes of men. And when it is remembered that the ideas and interests of these two classes of men were far from being identical, that there was, on the contrary, no way of bringing about an identity of ideas and interests between them,—for while one of these groups was born and bred under the aristocratic idea, with a corresponding labor system which rooted itself in that idea, the other group was born and bred under the democratic idea with a corresponding labor system which rooted itself in that idea,—persons living to-day may get some notion of the fierceness and depth of the ante-bellum rivalry which waxed and waned, and waned and waxed, for a half century,

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between the slaveholding and the non-slaveholding States, for possession of the general government, as a coign of vantage in the struggle between them for domination in the republic.

This strife, with alternations of reverses and triumphs, first for one side and then for the other, went on until 1861, when the rivals resorted to force to settle their differences. The war for the Union decided the momentous conflict in favor of the democratic idea and its system of free labor. The Thirteenth Amendment destroyed slavery and the slave power; or such, at least, was its purpose. The Fourteenth Amendment provided forever against a revival of the old aristocratic idea of inequality of civil conditions between the races in the South—the real ground of difference between the sections—by declaring all persons born or naturalized in the United States to be citizens of the United States. There was not again to exist in the Southern States any system of labor to take the place of the old slave labor system except that of free labor, and there was not again to appear any corresponding political power in the South to take the place of the defunct slave power; or such, at least, was the plain purpose of the Fourteenth Amendment. But in order to make assurance doubly sure on this vital point, a supplementary provision was incorporated into the amendment, to reduce the representation in Congress of any State which shall deny to any portion of its voting population the right to vote, in the proportion which the number of such disfranchised citizens “shall bear to the whole number of citizens twenty-one years of age in such State.”

The rest of the nation intended by these two great acts to destroy, root and branch, the old constitutional provision which entitled the South to count five slaves as three freemen in the apportionment of representatives among the States. It was determined to rid the country for all time of any future trouble from that cause. The Reconstruction measures attempted to introduce into the old slave States the democratic idea, and a labor system corresponding to that idea. But in the event of failure in these regards, and the ultimate revival on the part of those States of the aristocratic idea, and a labor system corresponding to that idea, it was carefully provided that such revival of the old aristocratic idea and labor system should be accompanied by an equivalent loss of

political power on the part of those States. They were no longer to eat their cake, metaphorically speaking, and keep it, too. For this eating and keeping something at one and the same time means that the something kept belongs to some one else than the eater. The political power which the South manages to retain in spite of her disfranchisement of the negro does not, therefore, belong to her. If she deprives the negro of the right to vote without being deprived in turn of a proportionate share of her representation in Congress, she has possessed herself wrongfully of a power in national politics, in national legislation, which rightfully belongs to the negro. And this power she may and does exercise against the negro and the North at the same time. It will be seen by the North some day, as it is seen to-day by the negro, that while her old rival has lost on paper the old three-fifths slave representation under the Constitution to which she was entitled before the war, she has not practically suffered any loss at all in this respect, but the contrary. She has actually gained since the war the other two-fifths in the apportionment of representatives among the States. For five of her disfranchised colored citizens count to-day the same as five Northern voters, instead of the proportion prevailing in ante-bellum times, when it took five slaves to equal three freemen in Federal numbers.

Following the adoption of the Fourteenth Amendment the North seemed still uneasy on this head. For very early coming events in the South were casting shadows before them to the manifest disturbance of the Northern mind. Heeding these shadows of ill omen along the Southern horizon, the North decided to clear the national sky of every shadowy possibility of a return of conditions which existed before the war, and which vexed her sorely during those bitter years. Apprehensive, then, lest the Fourteenth Amendment had not made a repetition of this history impossible, the nation adopted the Fifteenth Amendment, which ordains that “the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” Each of those three great steps was taken by the North to rid the country of the Southern aristocratic idea, and of its corresponding labor system; to plough into

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Southern soil the democratic idea and its corresponding system of free labor; to purge the Constitution of its hateful three-fifths slave representation principle; to redress, in short, the old balance of political power between the sections in order to secure forever the domination of our Northern industrial democracy in national affairs.

Then ensued naturally enough in the wake of a period of great emotions a period of strong reaction at the North. That section grew weary of the everlasting negro question, and began to yearn for peace, for a cessation of strife between the sections; began to yearn for change, for other sensations, for other interests of a more material kind—for dollars and dividends, for railroads and mines and factories, for buying and selling, for the thousand and one things which make up the busy life, the activity of a great and enterprising people. The spirit of modern commercialism descended like a consuming flame on the new generation which followed the war. Modern industrialism sucked like a huge maelstrom the whole multifarious and multitudinous life and force of the nation into itself, with that one exception, the South.

This chapter in our history illustrates afresh the truth of the old fable of the race between the tortoise and the hare, which race was not to the swift hare that stopped on the way, but to the slow, the ever moving tortoise. The Northern Hare ran swiftly, when it did run, along the course of Southern Reconstruction, but it did not endure to the end. Whereas the Southern Tortoise, slow but sure, has kept its equal pace without a pause from the close of the war to the present time. It did not weary of the everlasting negro question. It does not weary of it. It will not weary of it until it is settled to its entire satisfaction.

The democratic idea of government has been put to rout in every Southern State by the old aristocratic idea founded in race prejudice and race distinctions. A labor system is fast growing up about this idea—a labor system as much opposed to the labor system of the rest of the nation, as was the old slave system to the free labor of the North. There can be no lasting

peace between them now, any more than such peace was possible between them in the period before the war. The political and industrial interests of the sections are not the same, and cannot be made the same so long as differences so fundamental in respect to government and labor exist between them. The conflict of the two contrary ideas of government, of the two contrary labor systems, for survivorship in the Union, may be postponed as it is to-day, but it cannot be extinguished except by the extinction of one or the other of the old rivals. For they are doomed, in one form or another, by economic and social laws, to ceaseless rivalry and strife.

In this strife the disfranchisement of the negro by the South is a distinct victory for the Southern idea, for the Southern rival, over the Northern idea, the Northern rival. The Southern idea has taken on new life, is resowing itself, striking powerful roots into Southern soil. And while it is steadily strengthening its ascendancy over those States, its pollen dust is slowly spreading in many devious ways, blown by winds of destiny beyond the limits of those States, attacking with subtle, far-reaching and deep-reaching influences the democratic idea of the rest of the nation, giving aid and form to all those feelings, thoughts, purposes, hidden or open, but active, in the republic, hostile to popular government, to the democratic principle of equality and universal suffrage. The South has thrown down its gage of battle for the aristocratic idea, for the labor system which grows out of that idea. This gage of battle is the disfranchisement of the negro because he is a negro, and the consequent degradation of him as a laborer. Will the North accept the challenge of its old rival, will it pick up the gage of battle thus thrown down? I think that it will. I am sure that it will. When? I confess frankly I do not know. But of this I have no doubt, that when this time comes, as come it must, the negro will mark again, as he did formerly, the dead line between the combatants—between the aristocratic idea of the South and the democratic idea of the rest of the nation; between the labor system of the South and the labor system of the rest of the nation.

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cluded use of this method to bring about lawful conditions and therein, we think, was plainly arbitrary and unreasonable. *Missouri Pacific Railway v. Nebraska*, 164 U. S. 403, 417; *Donovan v. Pennsylvania Company*, 199 U. S. 279, 293; *Missouri Pacific Railway v. Nebraska*, 217 U. S. 196, 206.

The judgment of the court below is reversed and the cause remanded for further proceedings not inconsistent with this opinion.

Reversed.

GUINN AND BEAL *v.* UNITED STATES.

CERTIFICATE FROM THE CIRCUIT COURT OF APPEALS FOR
THE EIGHTH CIRCUIT.

No. 96. Argued October 17, 1913.—Decided June 21, 1915.

The so-called Grandfather Clause of the amendment to the constitution of Oklahoma of 1910 is void because it violates the Fifteenth Amendment to the Constitution of the United States.

The Grandfather Clause being unconstitutional and not being separable from the remainder of the amendment to the constitution of Oklahoma of 1910, that amendment as a whole is invalid.

The Fifteenth Amendment does not, in a general sense, take from the States the power over suffrage possessed by the States from the beginning, but it does restrict the power of the United States or the States to abridge or deny the right of a citizen of the United States to vote on account of race, color or previous condition of servitude. While the Fifteenth Amendment gives no right of suffrage, as its command is self-executing, rights of suffrage may be enjoyed by reason of the striking out of discriminations against the exercise of the right.

A provision in a state constitution recurring to conditions existing before the adoption of the Fifteenth Amendment and the continuance of which conditions that amendment prohibited, and making those

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MR. CHIEF JUSTICE WHITE delivered the opinion of the court.

This case is before us on a certificate drawn by the court below as the basis of two questions which are submitted for our solution in order to enable the court correctly to decide issues in a case which it has under consideration. Those issues arose from an indictment and conviction of certain election officers of the State of Oklahoma (the plaintiffs in error) of the crime of having conspired unlawfully, wilfully and fraudulently to deprive certain negro citizens, on account of their race and color, of a right to vote at a general election held in that State in 1910, they being entitled to vote under the state law and which right was secured to them by the Fifteenth Amendment to the Constitution of the United States.

The prosecution was directly concerned with § 5508, Rev. Stat., now § 19 of the Penal Code which is as follows: "If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same, or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than five thousand dollars and imprisoned not more than ten years, and shall, moreover, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States."

We concentrate and state from the certificate only matters which we deem essential to dispose of the questions asked. Suffrage in Oklahoma was regulated by § 1, Article III of the Constitution under which the State was admitted into the Union. Shortly after the admission there was submitted an amendment to the Constitution making a radical change in that article which was adopted prior to November 8, 1910. At an election for members of Congress which followed the adoption of this Amendment certain election officers in enforcing its provisions refused to allow certain negro citizens to vote who were clearly entitled to vote under the provision of the Constitution under which the State was admitted, that is, before the amendment, and who, it is equally clear, were not entitled to vote under the provision of the suffrage amendment if that amendment governed. The persons so excluded based their claim of right to vote upon the original Constitution and upon the assertion that the suffrage amendment was void because in conflict with the prohibitions of the Fifteenth Amendment and therefore afforded no basis for denying them the right guaranteed and protected by that Amendment. And upon the assumption that this claim was justified and that the election officers had violated the Fifteenth Amendment in denying the right to vote, this prosecution, as we have said, was commenced.

At the trial the court instructed that by the Fifteenth Amendment the States were prohibited from discriminating as to suffrage because of race, color, or previous condition of servitude and that Congress in pursuance of the authority which was conferred upon it by the very terms of the Amendment to enforce its provisions had enacted the following (Rev. Stat., § 2004): "All citizens of the United States who are otherwise qualified by law to vote at any election by the people of any State, Territory, district, . . . municipality . . . or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding."

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It then instructed as follows: "The State amendment which imposes the test of reading and writing any section of the State constitution as a condition to voting to persons not on or prior to January 1, 1866, entitled to vote under some form of government, or then resident in some foreign nation, or a lineal descendant of such a person, is not valid, but you may consider it in so far as it was in good faith relied and acted upon by the defendants in ascertaining their intent and motive. If you believe from the evidence that the defendants formed a common design and co-operated in denying the colored voters of Union Township precinct, or any of them, entitled to vote, the privilege of voting, but this was due to a mistaken belief sincerely entertained by the defendants as to the qualifications of the voters-that is, if the motive actuating the defendants was honest, and they simply erred in the conception of their duty-then the criminal intent requisite to their guilt is wanting and they cannot be convicted. On the other hand, if they knew or believed these colored persons were entitled to vote, and their purpose was to unfairly and fraudulently deny the right of suffrage to them, or any of them entitled thereto, on account of their race and color, then their purpose was a corrupt one, and they cannot be shielded by their official positions."

The questions which the court below asks are these:

1. Was the amendment to the constitution of Oklahoma, heretofore set forth, valid?
2. Was that amendment void in so far as it attempted to debar from the right or privilege of voting for a qualified candidate for a Member of Congress in Oklahoma, unless they were able to read and write any section of the constitution of Oklahoma, negro citizens of the United States who were otherwise qualified to vote for a qualified candidate for a Member of Congress in that State, but who were not, and none of whose lineal ancestors was, entitled to vote under any form, of government on January 1, 1866, or at any time prior thereto, because they were then slaves?"

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We answer the first question, No, and the second question, Yes. And it will be so certified.

MR. JUSTICE MCREYNOLDS took no part in the consideration and decision of this case.

"A New Reconstruction" Letter, May 1919

An Open Letter to the College Men of the South from the University Commission on Southern Race Questions.

A NEW RECONSTRUCTION

The world-wide reconstruction that is following in the wake of the war will necessarily affect the South in a peculiar way. Nearly 300,000 Negroes have been called into the military service of the country; many thousands more have been drawn from peaceful pursuits into industries born of the war; and several hundred thousand have shifted from the South to the industrial districts of the North. The demobilization of the army and the transition of industry from a war to a peace basis are creating many problems which can be solved only by the efforts of both races. The Negro in adapting himself to the new conditions, should have the wise sympathy and generous co-operation of his white neighbors. It is to the interest of these as well as of the Negro himself, that re-adjustment should proceed with the least possible difficulty and delay.

We believe that this re-adjustment may be effectively aided by a more general appreciation of the Negro's value as a member of the community. Lack of sympathy and understanding between two groups of people frequently causes one group to regard the shortcomings of a few individuals of the other as characteristic of all that group. This is a natural tendency, but it is neither rational nor just, and it has proved, we believe, one of the great obstacles to the development of more satisfactory racial relations in this country.

The Negroes' contribution to the welfare of the nation has never been more clearly indicated than by his services during the Great War. When the call to arms was sounded his country expected him to do his duty, and he did not fail. Large numbers of black men on the fields of France made the supreme sacrifice for the cause of world democracy. In other war services the Negroes did their full share. Many thousands were employed in the building of ships, the manufacture of munitions, the construction of cantonments, and in the production of the coal, iron, cotton and food stuffs without which victory would have been impossible. The Negroes' purchases of Liberty Bonds and War Savings Stamps and their contributions to the Red Cross, the United War Work Fund, and other similar agencies are in themselves a splendid record of which the Negroes and their white friends may be justly proud.

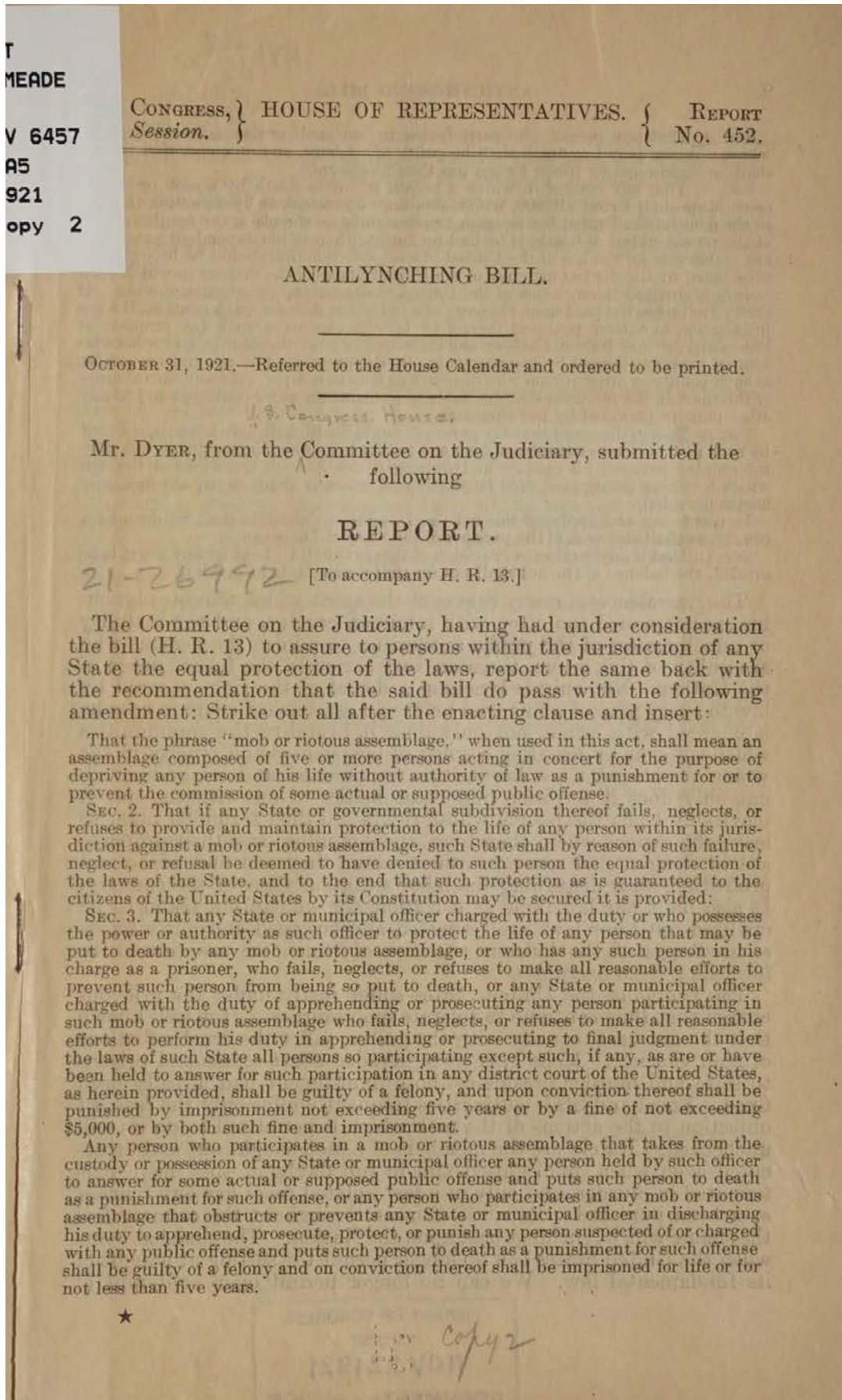
It may also be appropriate in this connection to recall that throughout the period of hostilities the Negro was never suspected of espionage or of sympathy with the enemy, and that he has been wholly indifferent to those movements fostered by radical aliens that aim at the destruction of the American form of government. This good record of the whole race deserves such publicity as will offset the common tendency to judge it by the shortcomings of some of its members. No people is spurred to higher things when habitually referred to in disparaging or contemptuous terms. Ordinary human beings tend to live up to or down to the role assigned them by their neighbors.

On several previous occasions the University Commission for the Study of Race Problems has addressed appeals to the college men of the South for more justice and fair play for the twelve millions of our colored citizens. At this time we would appeal especially for a large measure of thoughtfulness and consideration, for the control of careless habits of speech which give needless offense and for the practice of just relations. To seek by all practicable means to cultivate a more tolerant spirit, a more generous sympathy, and a wider degree of co-operation between the best elements of both races, to emphasize the best rather than the worst features of interracial relations, to secure greater publicity for those whose views are based on reason rather than prejudice—these, we believe, are essential parts of the Reconstruction programme by which it is hoped to bring into the world a new era of peace and democracy. Because college men are rightly expected to be moulders of opinion, the Commission earnestly appeals to them to contribute of their talents and energy in bringing this programme to its consummation.

(Signed)

James J. Doster, professor of education, University of Alabama.
David Y. Thomas, professor of political science and history, University of Arkansas.
James M. Farr, professor of English, University of Florida.
R. P. Brooks, professor of history, University of Georgia.
William O. Scroggs, professor of economics and sociology, Louisiana State University.
William L. Kennon, professor of physics, University of Mississippi.
E. C. Branson, professor of rural economics, University of North Carolina.
Josiah Morse, professor of philosophy, University of South Carolina, (Chairman.)
James D. Hoskins, dean of the University of Tennessee.
William S. Sutton, professor of education, University of Texas.
William M. Hunley, professor of economics and political science, Virginia Military Institute, (Secretary.)

"Antilynching Bill" Report, 1921 (pg.1)



“Antilynching Bill” Report, 1921 (Transcribed Excerpt)

Transcribed Excerpts from Anti-Lynching Bill, 1921

Excerpt 1 (Pg. 3)

Ex-Attorney General Gregory, May 6, 1918, in an address to the American Bar Association, said:

“We must set our faces against lawlessness within our own borders. Whatever we may say about the causes for our entering this war, we know that one of the principal reasons was the lawlessness of the German nation—what they have done in Belgium, and in northern France, and what we have reason to know they would do elsewhere. For us to tolerate lynching is to do the same thing that we are condemning in the Germans.

Lynch law is the most cowardly of crimes. Invariably the victim is unarmed, while the men who lynch are armed and large in numbers. It is a deplorable thing under any circumstances, but at this time, above all others, it creates an extremely dangerous condition. I invite your help in meeting it.”

“Antilynching Bill” Report, 1921 (Transcribed Excerpt)

Excerpt 2 (Pg. 4-5)

In the 30 years from 1889 to 1918, 3,224 persons were lynched, of whom 2,522 were Negroes, and of these 50 were women. The North had 219; the West, 156; Alaska and unknown localities, 15; and the South, 2,834, with Georgia leading with 386, and Mississippi following with 373. Yet in Georgia Negroes paid taxes on 1,664,368 acres, and owned property assessed at \$47,423,499. Of the colored victims 19 per cent were accused of rape and 9.4 per cent of attacks upon women. In the year 1919, 77 Negroes, 4 whites, and 2 Mexicans were lynched.

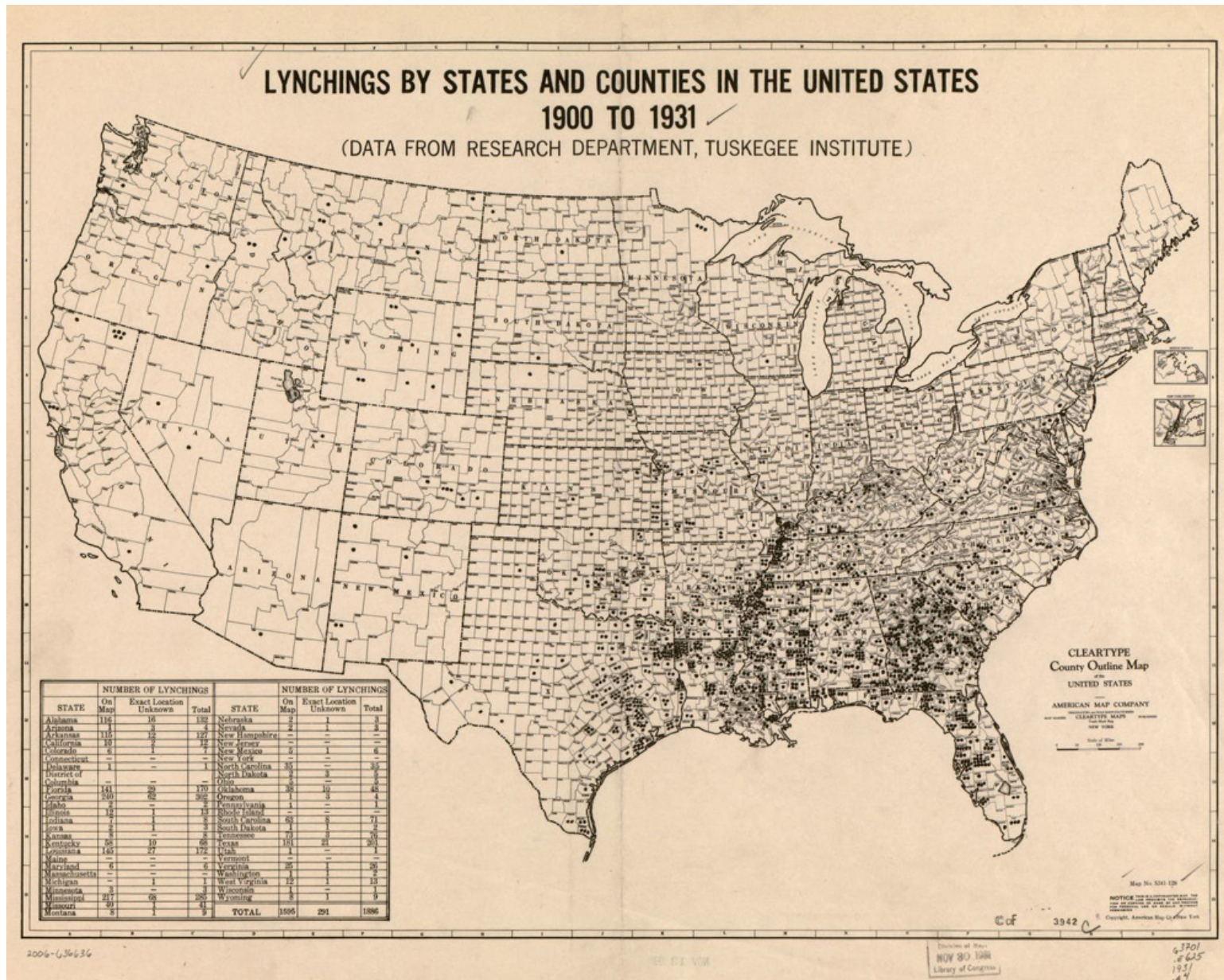
Ten of the Negroes were ex-soldiers; one was a woman. During 1920 there were 65 persons lynched; 6 were white and 59 were Negroes; 31 were hanged, 15 shot, 8 burned, 2 drowned, 1 flogged to death, and 8, manner unknown; 24 were charged with murder, 2 assault on woman, 15 attack on woman, 3 insulting woman, 1 attempted attack on woman, 1 attack on boy, 1 stabbing man, and 3 assaulting man.

The Congress must provide the means of ending this cowardly crime. It is in punishing those who take part in it or who permit it. Congress has the power to enact this bill into law.

The fourteenth amendment to the Constitution provides that no State “_ shall deny to any person within its jurisdiction the equal protection of the laws,” and further provides that “the Congress shall have power to enforce, by appropriate legislation, the provisions of this article.” It is well settled by decisions of the Supreme Court of the United States that the denial forbidden is not alone a denial by positive legislation but that “no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws.”

It is thus made the duty of the Congress under the Constitution to enact such laws as may be needful to assure that no State shall deny to any person within its jurisdiction the equal protection of the laws. Within the limits of the jurisdiction thus conferred the Congress has the right to exercise its discretion as to what laws or what means can best accomplish the desired end.

“Lynchings by States and Counties in the United States, 1900-1931” Map, ca. 1931



Courtesy of Library of Congress, “Lynchings by States and Counties in the United States, 1900-1931,” ca. 1931

“Ho for Kansas” Advertising Flyer, March 18, 1878

HISTORICAL SOCIETY.
Ho for Kansas!

Brethren, Friends, & Fellow Citizens:

I feel thankful to inform you that the

REAL ESTATE

AND

Homestead Association,

Will Leave Here the

15th of April, 1878,

In pursuit of Homes in the Southwestern
Lands of America, at Transportation
Rates, cheaper than ever
was known before.

For full information inquire of

**Benj. Singleton, better known as old Pap,
NO. 5 NORTH FRONT STREET.**

Beware of Speculators and Adventurers, as it is a dangerous thing
to fall in their hands.

Nashville, Tenn., March 18, 1878.

"National Negro Committee" Platform, 1909

NATIONAL NEGRO COMMITTEE

500 FIFTH AVENUE

NEW YORK

Rev. W. H. BROOKS, New York.
Prof. JOHN DEWEY, New York.
PAUL KENNADAY, New York.
JACOB W. MACK, New York.
Mrs. M. D. MACLEAN, New York.
Dr. HENRY MOSKOWITZ, New York.
JOHN E. MILHOLLAND, New York.
Miss LEONORA O'REILLY, New York.
CHARLES EDWARD RUSSELL, New York.
Prof. EDWIN R. A. SELIGMAN, New York.
Rev. JOSEPH SILVERMAN, New York.
OSWALD G. VILLARD, New York.
Miss LILLIAN D. WALD, New York.

WM. ENGLISH WALLING, New York.
Bishop ALEXANDER WALTERS, New York.
Dr. STEPHEN S. WISE, New York.
Miss MARY W. OVINGTON, Brooklyn.
Dr. O. M. WALLER, Brooklyn.
Rev. J. H. HOLMES, Yonkers, N. Y.
Prof. W. L. BULKLEY, Ridgefield Park, N. J.
Miss MARIA BALDWIN, Boston
ARCHIBALD H. GRIMKE, Boston.
ALBERT E. PILLSBURY, Boston.
MOORFIELD STOREY, Boston.
Pres. CHAS. P. THWING, Cleveland, O.
Pres. W. S. SCARBOROUGH, Wilberforce, O.

Miss JANE ADDAMS, Chicago.
Mrs. IDA WELLS-BARNETT, Chicago.
Dr. C. E. BENTLEY, Chicago.
Mrs. CELIA PARKER WOOLLEY, Chicago.
Dr. WILLIAM SINCLAIR, Philadelphia.
Miss SUSAN WHARTON, Philadelphia.
R. R. WRIGHT, Jr., Philadelphia.
L. M. HERSHAW, Washington.
Judge WENDELL P. STAFFORD, Washington.
Mrs. MARY CHURCH TERRELL, Washington.
Rev. J. MILTON WALDRON, Washington.
Prof. W. E. B. DuBOIS, Atlanta, Ga.
LESLIE PINCKNEY HILL, Manassas, Va.



Platform Adopted by the National Negro Committee, 1909

We denounce the ever-growing oppression of our 10,000,000 colored fellow citizens as the greatest menace that threatens the country. Often plundered of their just share of the public funds, robbed of nearly all part in the government, segregated by common carriers, some murdered with impunity, and all treated with open contempt by officials, they are held in some States in practical slavery to the white community. The systematic persecution of law-abiding citizens and their disfranchisement on account of their race alone is a crime that will ultimately drag down to an infamous end any nation that allows it to be practiced, and it bears most heavily on those poor white farmers and laborers whose economic position is most similar to that of the persecuted race.

The nearest hope lies in the immediate and patiently continued enlightenment of the people who have been inveigled into a campaign of oppression. The spoils of persecution should not go to enrich any class or classes of the population. Indeed persecution of organized workers, peonage, enslavement of prisoners, and even disfranchisement already threaten large bodies of whites in many Southern States.

We agree fully with the prevailing opinion that the transformation of the unskilled colored laborers in industry and agriculture into skilled workers is of vital importance to that race and to the nation, but we demand for the Negroes, as for all others, a free and complete education, whether by city, State or nation, a grammar school and industrial training for all and technical, professional, and academic education for the most gifted.

But the public schools assigned to the Negro of whatever kind or grade will never receive a fair and equal treatment until he is given equal treatment in the Legislature and before the law. Nor will the practically educated Negro, no matter how valuable to the community he may prove, be given a fair return for his labor or encouraged to put forth his best efforts or given the chance to develop that efficiency that comes only outside the school until he is respected in his legal rights as a man and a citizen.

We regard with grave concern the attempt manifest South and North to deny black men the right to work and to enforce this demand by violence and bloodshed. Such a question is too fundamental and clear even to be submitted to arbitration. The late strike in Georgia is not simply a demand that Negroes be displaced, but that proven and efficient men be made to surrender their long-followed means of livelihood to white competitors.

As first and immediate steps toward remedying these national wrongs, so full of peril for the whites as well as the blacks of all sections, we demand of Congress and the Executive:

- (1). That the Constitution be strictly enforced and the civil rights guaranteed under the Fourteenth Amendment be secured impartially to all.
- (2). That there be equal educational opportunities for all and in all the States, and that public school expenditure be the same for the Negro and white child:
- (3). That in accordance with the Fifteenth Amendment the right of the Negro to the ballot on the same terms as other citizens be recognized in every part of the country.

I herewith subscribe \$_____ to the National Negro Committee, and desire to become a member of the permanent organization growing out of the present Conference.

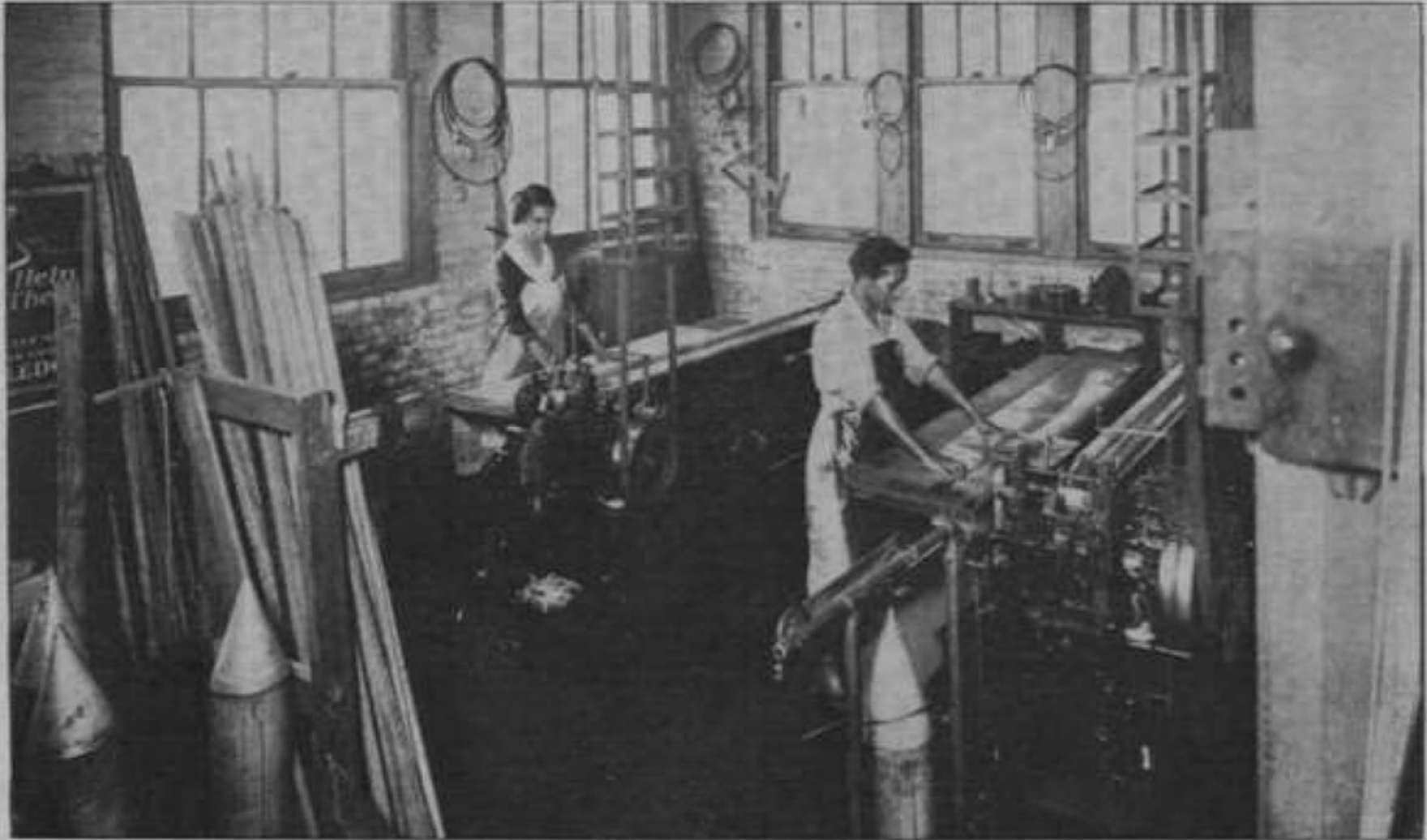
(Make checks payable to Oswald G. Villard, Treasurer).

Perfect Eat Shop in Chicago, Illinois, April 1942



Courtesy of Library of Congress, Delano, Jack, "In the Perfect Eat Shop, a restaurant on 47th Street near South Park, owned by Mr. E. Norris (Negro). Chicago, Illinois," April 1942

Two Women Working in a Factory Making Bedspring Webbing, 1969



MACHINE OPERATORS MAKING BEDSPRING WEBBING.

Courtesy of Library of Congress, "The Negro at Work During the World War and During Reconstruction: Statistics, Problems, and Policies Relating to the Greater Inclusion of Negro Wage Earners in American Industry and Agriculture," 1969

Madame C. J. Walker and Her Mansion on the Hudson in New York, ca. 1907



Courtesy of Library of Congress, "Madame C. J. Walker"

Madame C. J. Walker and Her Mansion on the Hudson in New York, ca. 1987



Courtesy of Library of Congress, "Madame C. J. Walker's House (Villa Lewaro). Irvington-on-the-Hudson, New York," ca. 1987

"Chicago Race Riots Spread, 27 Dead, 244 Injured; President Demands Ratification of French Treaty," July 30, 1919 (pg.1)

ALL MERCHANDISE ADVERTISED IN THE TRIBUNE IS GUARANTEED

New York



Tribune

WEATHER
Fair today, with occasional showers
Temperature moderate
Wind light to moderate
Full moon on page 10

Chicago Race Riots Spread, 27 Dead, 244 Injured; President Demands Ratification of French Treaty

Thousands Reported in Night Fights

Four Regiments on Duty, Five Units in Reserve; 11 Whites, 11 Negroes Among Known Killed

Governor Issues Appeal to People

Day Marked by Frequent Flare-ups but Worst Trouble Seems at End

CHICAGO, July 30.—(Special) Chicago today was a scene of intense excitement and confusion. The city was the scene of a riot which had spread from the South Side to the West Side, and from the West Side to the North Side. The riot had been going on for several days, and had caused the death of 27 persons and the injury of 244 others. The riot had also caused the destruction of property to the value of \$1,000,000.

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Tiffany Leads Gold Hunt to South America

Expedition Sails for Dutch Golems With \$1,000,000 in Machinery Backed by \$2,000,000 Company

The expedition sailed for Dutch Golems with \$1,000,000 in machinery backed by \$2,000,000 company.

Drinks Over Wine Slays French Ship

Facilities in a long way off the French register, according to reports which arrived in New York.

Mother and 7 Prefer Death to Poor House

NEW YORK, July 30.—Seven women here today preferred death to the poor house.

A Subject for Immediate Consideration



House Calls on Baker to Sell Food Surplus

Resolution Demanded That War Supplies Valued at \$120,000,000 Be Placed on the Market at Once

Wilson Pledged to Curb Mexico, Say Canadians

Declare He Promised Britain and France Before Leaving Paris He Would Take a Firmer Stand and Protect Interests in Turbulent Republic

Colonel Puts Cruelties Up To Gen. Harts

Former Military Aid at White House Responsible for Arm No. 2, Officer Tells Committee

Many Men Named as Prison Victims

'Hard-Boiled' Smith Says Others Were Worse; His Testimony Contradicted

Reservations Seem Certain Of Adoption

Senator Nelson, Long Still in France, Comes Out Openly for Changes Advocated by Lodge

Insists on Japan Showing Her Hand

Republicans Fear Wilson Will Prolong Fight to Appeal to U. S. People

WASHINGTON, July 30.—The text of President Wilson's message to the Senate regarding the French treaty was received today.

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Continued on page 10

Continued on page 10

Continued on page 10

"Chicago Race Riots Spread," July 30, 1919 (pg.2)

NEW YORK TRIBUNE, WEDNESDAY, JULY 30, 1919

Chicago Race Riots Spread; 27 Known Dead, 244 Hurt

Continued from page 1

They were seen and a man named...
 The riot... spread...
 The... riot...
 The... riot...
 The... riot...

...which the riot... spread...
 The riot... spread...
 The... riot...
 The... riot...

Night Riots Cleared

A night riot which occurred in...
 The riot... cleared...
 The... riot...
 The... riot...

West Siders Held

The police department...
 The... riot...
 The... riot...

Three Unsubdued Riots

Three unsubsided riots...
 The... riot...
 The... riot...

Italian Attack Negro Homes

The first clash on the South Side...
 The... riot...
 The... riot...

Chicago Riots Spread

Chicago riots spread...
 The... riot...
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Chicago Riots Spread

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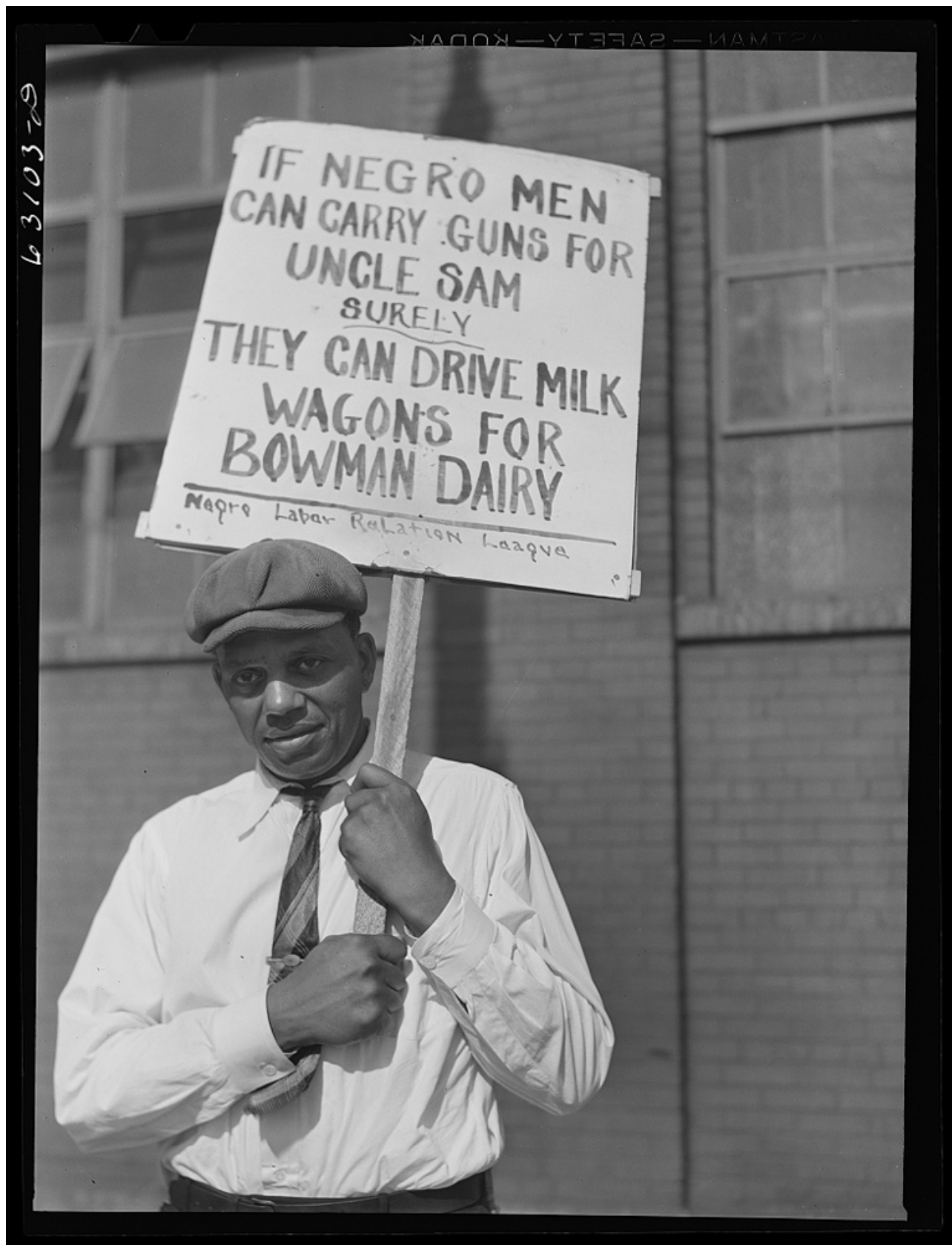
Chicago Riots Spread

Chicago riots spread...
 The... riot...
 The... riot...

Chicago Riots Spread

Chicago riots spread...
 The... riot...
 The... riot...

African-American Man Carrying Protest Sign Outside Milk Company in Chicago, Illinois, July 1941



Courtesy of Library of Congress, Vachon, John, "Negro Carrying Sign in Front of Milk Company. Chicago, Illinois," July 1941

Picket Line at Mid-City Realty Company in Chicago, Illinois, July 1941



Courtesy of Library of Congress, Vachon, John, "Picket Line at Mid-City Realty Company, South Chicago, Illinois," July 1941

“White Tenants in Our White Community” Sign Directed at U.S. Federal Housing Project in Detroit, Michigan, February 1942



Courtesy of Library of Congress, Siegel, Arthur S., "Detroit, Michigan. Riot at the Sojourner Truth homes..." February 1942

Interview with George Jiggetts about Moving North and Finding Work, August 19, 1994



Courtesy of Library of Congress, Jiggetts, George, and Susan Levitas, "There was nothing you could do to make a dollar unless it was work on someone else's farm," 19 August 1994