

"The Struggle between the Civilization of Slavery and that of Freedom" by Edward C. Billings, October 20, 1873

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... light, how much of the national elevation and national liberalization, of the permanent advancement of our own republic, and, so far as we are experimenting for the world, for all republics, does that provision suggest! And shall the heavens be hung in black because the constitution and the law have been applied, to effect just the result in just the way intended? The amendment was right, the law was right, the application was right; and, thank God, all were in the interests of humanity.

You, who dwell in these secure New England homes, where the statutes of your several Commonwealths, freely administered, are implicitly obeyed, where correct principles, imbedded in the public mind, propagated and maintained by the church and the school-house from generation to generation, would for the most part control and regulate individual conduct, independently of the consequences which the law establishes, cannot readily picture to yourselves a community where the civilization, the controlling ideas have been begotten and educated under the domination of American Slavery. Well might such a community have hung a man for the utterance of the eternal truths of freedom; for with free speech down went slavery. It was wholly a thing of force. It had no merits, nothing but enormities, and so free enquiry could not be tolerated. It was physical force, commencing with making it a crime to teach a slave to read and write, and ending with making it unlawful to emancipate him. So with the civilization which, born of it, still survives it. It relies upon the blow and the bullet, and not upon the argument. Human life is held most cheaply. Murder and assassinations crop out continually. Without the moral power and the sanctions and penalties which come to us from the laws of Congress, the contest in Louisiana would be most bloody. Even with these, it is in some respects a most terrible struggle.

Do you think I exaggerate? I call to your attention the riot of 1866 in New Orleans, when a body of inoffensive men were, in broad daylight, attacked and decimated in the most bloody manner because they sought to meet in a harmless convention; I call to your attention the hundreds of Republicans, black and white, who were openly or secretly slain during the Presidential Campaign in 1868; I call to your attention

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the slaughter at Colfax in this present year, when, emboldened by the strictures of some of our friends in the Senate, to whom the side of the Kellogg government seems not to have been properly presented—a band of men organized and armed, fell upon two hundred harmless colored men and slew them, leaving their bodies unburied, and there they were found with hands which had been clasped in supplication to their murderers, and which in the rigidity of death attested that supplication. The details of this last massacre, in bloodiness and blood-guiltiness only equalled by that of St. Bartholomew, sicken the heart. I have seen two men who acted as a sort of ambassadors between the two gatherings. They assured me that there was no hostile purpose on the part of the colored people. They were being hunted for slaughter and remained together solely for the purpose of self-protection, asked only that the party which assailed them would sign a paper that they should not be molested,

that they might be put in communication with the military forces of the United States, and then they were willing to disperse, each to his place of business and his usual avocation. But no, the report of four of our friends in the Senate had come out; the case of the Republican party went by default before them and therefore, as I think, they had censured it; Grant Parish thought an opportunity had come for unpunished murder, and so two hundred men were most brutally killed, most mercilessly killed, and their bodies left to putrify, unburied. In the later New Orleans newspapers I see chronicled the murder of Judge Crawford, a gentleman who was well known by me and who was a most worthy man and judge.

Let me call to your attention the numerous unchronicled and unpunished murders of freedmen, which month by month occur. The spirit of brutality and implacable hatred of freedom which felled to the floor, even in the Senate chamber, one of your own Senators in the midst of his immortal labors, still lurks in and even stalks forth on the fields of the South.

More than half our population are colored. They avoid violence almost to a fault. Hardly ever do they provoke an attack. Whenever you read of a skirmish between the former

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slaves and the former masters, in ninety-nine cases out of a hundred, you may know that the masters compelled it. I raise my voice here tonight to tell you, that, for years to come, you must protect the former slave in the exercise of the rights of the citizen, by legislation on the part of Congress. The United States armies and the United States courts must stand between him and over-awing violence, or you have but mocked him by making him a citizen. All his succor thus far has come from the general government; none of consequence from the governments of the states. The features of slavery, its effects upon enslaver and enslaved and the recency of its abolishment render it certain that the same thing will be true in the future. If then the lives of the freedmen are to be preserved, and their rights guaranteed, the preservation and guaranty must come from Congress.

I pass on to the aspect of our government as presented by the decisions of our Supreme Court. Directly and indirectly, in at least twelve cases--cases where the most subtle ingenuity, overtaking itself, can find no ground to question their jurisdiction, the Supreme Court of Louisiana have solemnly decided that the Kellogg government was the lawful government. Here then was an election for state officers, and a contest, springing up about it, has been finally settled by the court of last resort of the state. Where is there room for federal legislation on this case thus situated? In what I say here, I exclude from immediate consideration the power of the Congress under the fifteenth amendment. For, while it is clear that under that amendment it has no direct judicial power, it is equally clear that it can, by all means fairly within the scope of legislation, regulate, revise, and correct elections. Still, it can exercise this power only so far as to prevent or remedy exclusion from voting on account of race, color or previous condition. But in this case, no voter dissatisfied with the existing state of things was excluded. The party against whom the exclusion was practiced, is, in spite of that attempt, in possession of the offices of the state.

How then can Congress interfere to oust or install any one? Is not the case, just as it stands, purely a matter of. State controversy and state decision, except so far as the Congress