The Anti-Slavery Bugle.

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VOL. 12.---NO. 32. SALEM, COLUMBIANA COUNTY, OHIO, SATURDAY, MARCH 28, 1857. WHOLE NO. 598.

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From the Western Presage.

PRINCIPLE AND POLICY.

A "*principle* is a general truth, a law comprehending many subordinate truths, as the *principles* of morality, of law, of government, &c." "*It is a settled rule of action in human beings.*"—*Noah Webster.*

"*Policy* is prudence or wisdom, in rulers or individuals in the management of public or private concerns." It also signifies "stratagem, cunning, dexterity of management."—*Ib.*

True policy (i. e. prudence or wisdom) is the result of a steadfast adherence to principle. But stratagem and cunning are adopted as substitutes for it. "The wisdom of this world"—its ideal of policy, lies mainly in the latter direction. So that principle and policy have come to stand for opposite ideas, and must needs be contemplated in contrast with each other.

Principle requires implicit and constant subjection to the True and the Right. Policy is evermore in chase after supposed advantages, gains, availabilities, expedients.

Principle proposes no end as being paramount to the dominion of the True and the Right, or capable of being separate from it. Policy, venerates nothing as being True, recognizes nothing as being Right that cannot be subordinated to its own estimate of advantage, shown to be productive of gains, and seen to be fertile in availabilities and expedients.

Principle walks by faith, policy by sight. Principle confides in the wisdom of God—policy in the wisdom of man.

The Creator established *principle* and endowed it with his own immutability. He never departs from it himself, and never authorizes any of his intelligent creatures to depart from it. The fall of man was a departure from *principle*, under a temptation founded on *policy*. The forbidden fruit was accounted desirable to make him wise. Men were to become as gods, governed by their own rules of action, instead of being controlled by the will of a superior. This wisdom has been the folly of the race, ever since.

Principle is abiding, because it reposes upon Truth, which is eternal. Policy is fluctuating, because it is founded on circumstances which are continually changing. Principle is abiding, because it leans on the changeless wisdom of God.—Policy is fitful because it is shaped by the changing estimates of men.

Policy is forever dividing and subdividing, and distracting its adherents, because no two finite minds can agree, fully in their estimates of the consequences of action. Principle lays a substantial foundation for the unity of its votaries, because it only requires of them a recognition of "self-evident truths," and an honest, strait-forward, common sense application of them in practice. If the friends of liberty in America would but agree together to direct their political activities in accordance with the plain and known requirements of the "truths" that they all claim to "hold as self evident," they would very soon come to an agreement in their measures, and slavery would be speedily overthrown.

This would be indeed acting like "practical business men." It would be acting as machinery and steam engines—as navigators do when they guide ships by the truths of astronomy, over the ocean—as wise inventors do, when they invent steam engines, daguerreotypes, and magnetic telegraphs—as practical chemists do when they use the elements and the laws of nature, for the purposes of human life. All these find themselves shut up to the necessity of acting rigidly upon principle instead of policy. That is, they have to conform exactly to the heaven-established principles and laws: the immutable *Truths* existing in the nature of things, and controlling the department within which they are operating. No considerations of policy, no anxiety to secure the influence of great men, the funds of the millionaires, or the votes of the millions, would tempt them to swerve a hair's breadth from the stern demands of *fixed principles*, established by the God of nature. They are "uncompromising in their measures."—They are ultraists, insisting upon an unwavering conformity to the true and the right in the abstract." They would be called "impracticables" if the old astrologers; alchemists, and necromancers of the former ages were now on the stage, and bearing sway in company with their legitimate successor, the necromancers of expediency who are still playing off their sleight-of hand tricks, and trying their hap-hazard experiments in the high places of political and ecclesiastical life, regardless, utterly of the divine laws that controlled the universe.

Principle is the foundation of the sciences.—Policy teaches its votaries to deride, to decry, and to disregard moral and political science—the science of government, of jurisprudence and of law It denies the benefits and even the practicability of any attempts to ascertain, and especially to obey the divine laws by which God governs the nations, or, it resolves all these into human calculations of expediency, human estimates of consequences, availabilities, majorities, as though *these* constituted the laws that govern the political world!

Principle, or adherence to moral principle, is but another name for honesty. The old maxim that "honesty is the best policy" is only an affirmation that "principle is the best policy."—The old maxim has been improved by saying that "honesty is better than policy" which must mean that "principle is better than policy."

Principle *is* better than policy, because principle is the power, the wisdom, the goodness and the blessedness of God, while policy is the weakness, the folly, the wickedness and the misery of man. Earth groans, and has groaned for almost sixty centuries, under the guidance and the misgovernment of policy. In no way can it be relieved but by the guidance and the government of principle.

Policy and expediency, weighed in their own balances are found wanting. They are the most impolitic and inexpedient things in the universe—the comprehension of all unwisdom, the consumation of all imprudence. What can be more unwise than for a man to attempt to be wiser than his maker? Or what more imprudent than for a man to decline the direction of infinite wisdom, in order to follow his own guidance?

"Power is "force, strength, energy." "Ability—the faculty of doing or performing anything." What power can be exerted, either in mechanics, or in morals, without acting in harmony with the law of the God of nature, the laws of mechanism, or of morals?

Wisdom is "the right use or exercise of knowledge—the choice of laudable ends, and the best means to accomplish them." Can such choice be made without implicit obedience to moral principle? Without obedience to Truth and Law?

Goodness, is moral excellence—moral virtue.—Can any being possess or manifest this, without implicit conformity to truth? To law? To moral principle?

Blessedness is defined to be "happiness, felicity, heavenly joys, the favor of God." Can a man possess or successfully pursue this, without *principle?* Without obedience to *truth?* Without conformity to *law?*

Very manifestly, all power, all wisdom, all goodness, all blessedness, are wrapped up and identified with adherence to principle. The simple comparison of the definitions of the words, as given by our lexicographers, is sufficient to indicate this. And the more extensive our observations, the more perfect our acquaintance with history, the more comprehensive and profound our reflections, the more severe our self scrutiny, the more exalted and refined our sensibilities, the more pure and acceptable our religious devotions—the more clearly shall we see, and more deeply shall we realize that the sum of all desirable power, of all prudence and wisdom, of all goodness, of all blessedness, deserving the name are to be found only in a rigid adherence to principle, in opposition to all the wisdom, the expedience, the policy that can be otherwise defined.

Policy in distinction from principle, betrays conscious weakness. It is an attempt to substitute something else in the room of absent strength.—The powerful do not resort to stratagem, to cunning. The arts and the dexterity of our servile political parties betray their inherent weakness. If any party for freedom would acquire strength, or even the reputation of it, it must plant itself upon principle, and abjure policy.

Policy as contrasted with principle, is the child and the parent of *folly*. It springs from the lack of wisdom, and betrays its parentage by its progeny. If any one would write out a volume of illustrations of human folly, he could not do better than to narrate the expedients of some of our shrewdest political leaders for the last half century, and the results of them along with the blighted hopes and disappointed expectations of those friends of reform, of progress, and of liberty, who have confided in them, or have hoped for some benefits to be derived from supporting them. Too sagacious in their own eyes, to commit themselves to the guidance of principles, known to be true and right, in the abstract, too sagacious, in other words, to trust and obey their Creator, they have been students of policy—they have been running after expedients! And where are they? And in what condition are the interests they have been looking after?

Policy, in distinction from principle, never formed a character of true moral excellence, or goodness. We have philanthropists, such as they are, of whom our phrenologists say, truthfully enough, as the world knows (whether they judge from their bumps or their history) that they have large benevolence, but not a particle of moral perception! The fact intended to be indicated, might be as manifest without the manipulations of phrenologist as with them. But alas! for *such* benevolence. And alas for a world waiting for the fruits of it.

Moral principle must inspire and direct the philanthropy by which the wounds of bleeding humanity are to be healed.

Policy in distinction from principle lacks the elements of blessedness, because, it lacks the elements of moral integrity, and consequently fails of securing the divine favor. Policy has no faith in God, in truth, in principle, in law, or in duty.—And "without faith, it is impossible to please him."

All this is as appropriate and as applicable to the arena of political life as to any other department of human activity or endeavor. The prejudice that proscribes principle, in the management of public concerns, and insists upon substituting policy, is not more atheistical and unprincipled than it is short-sighted, superficial, and oblivious of past history, as well as of the current events of our own times in our own country. Any man of common intelligence, who has seen fifty years, who has read a tolerably conducted journal, and retains any memory of its contents, need be at no loss for sufficient illustrations of the folly of departing from principle and running after policy, in political life. Politicians, parties, important interests, essential rights, states nations, have risen and fallen, accordingly as they have honored moral principle or departed from it. Honesty (or principle) is as preferable to policy, or stratagem, in public life as it is in commercial life, or in the daily intercourse of neighbor with neighbor. Most men, in words, will admit this, and yet most men will justify themselves in the habit of holding their professed principles in abeyance, in political life, where they think they cannot afford to wait for the slow and uncertain operation of *principle*, and must needs resort to *policy*.

W. G.

SHALL SLAVERY TAKE POSSESSION OF THIS NATION, OR SHALL FREEDOM RULE?

Many good-natured, Union-loving men hoped that the administration of Buchanan would be an improvement upon that of Franklin Pierce. We were not of that number. We at one time believed that the administration of John Tyler would stand forever in the history of this country, as the worst that could be, so far as the rights of the Free States were concerned. We were mistaken. The Slave power has increased rapidly ever since that time, and now it has reached a point which is fearful to contemplated. First, it subdued the Executive Government, second, the Legislative; and now it grasps the Judiciary. The grand object of the oligarchs has been perfected. *They have made Slavery National, Freedom Sectional.*

According to the recent decision of the Supreme Court there is not one foot of free territory belonging to the Union, outside of the free States. The Wilmot Proviso applied to Oregon and Minnesota, has fallen lifeless to the earth, and slaves can now be taken there and worked, with the shield of the Federal Constitution to guard and protect their masters in the management of this, their property. The Territories have become one great slave pen. How long will it be before this power will apply the same principles to the States? Colored men are now declared not to be citizens of the United States, they are outlawed from all claims to citizenship in the land of their nativity, in the home of their fathers. Like the Bohemian Magraubin, "they have no home, no country." They are simply property; they are as horses and cattle. They can be bought and sold, but they cannot be citizens.

Buchanan's Inaugural foreshadows his policy. His administration will carry out the "principles of the Constitution" as expounded by a slaveholding Supreme Court. Even Squatter sovereignty has had fetters put upon its fetlocks by the Inaugural. It now means that the people of a Territory can only exclude slavery when they come to make a State Constitution, not before. Until that hour arrives, there is no power in our government or in the people to prevent the extension of the curse, and when that hour arrives, they will be strong enough to have slavery acknowledged and protected.

To carry out this infernal doctrine, the whole power of the general government during the administration of Buchanan will be brought, and if the people of the free States submit to it, all is lost. But they will not submit. From this day forth, the spirit of resistance will be organized.—Even the most prejudice of the Democratic party must see that unless the North speaks, unites, resents, acts, in opposition to this aristocracy of slaveholders the whole government will become a mere instrument to oppress poor, downtrodden humanity, and to cover our whole continent with slavery, as the waters cover the sea.—*O. S. Journal.*

From the Tribune.

WHAT THEY PROPOSE TO DO.

"Well, what do you propose to do about it?" is tauntingly asked by our Northern chucklers over the late most unjust and deplorable decision in the Dred Scott case. "Suppose it is all wrong, in violation of law and of precedent, how do you expect to help yourselves? What will all your protests and agitation amount to?" Let us answer these gentlemen briefly, but clearly.

1. We do not propose to resist the Federal authorities nor to break up the Union. We do not esteem either rebellion or disunion the proper remedy for political or judicial wrongs while the Freedom of the Press and the right of Suffrage are maintained. Especially should we deem disunion most untimely, now that the highest tribunal has—though extra judicially and without authority—pronounced Slavery a National, not a sectional, institution, making it a concern of the nominally Free equally with the Slave States.—When this doctrine comes to be positively established hereafter, it will be settled that Slavery must pervade and control the whole Union or be expelled from every part of it. We have not desired such an issue; but, when it is made up and forced upon us by the Slave Power, we shall not shrink from it. Disunion involves the abandonment of our enslaved countrymen to perpetual bondage; we choose not to desert them.

2. We do mean to make plain to all our countrymen who can read, the iniquity and enormity of the Dred Scott decision in all its parts, but especially in its fundamental denial to the feeble downtrodden of any right of appeal to the Federal tribunals. By every principle of righteous jurisprudence, the more humble or degraded an individual or class may be, the more imperative is the duty of the tribunals to hear the pleadings and assert the right of such suppliant or class.—We mean to make the American People percieve and feel that injustice to a part is peril to all, and that the refusal to consider Dred Scott's prayer for liberty on the express ground of his being a black man, therefore possessing no rights which white men are bound to respect, is a fatal blow at the rights and liberties of all.

3. We mean to show that a decision of the Supreme Court, though formidable, is not irreversible. That Court affirmed the constitutional validity of the Alien and Sedition acts, yet the people annulled those acts and paid back the penalties imposed under them by the Federal Judiciary. That Court pronounced a Bank of the United States perfectly constitutional, yet the People ultimately made a contrary decision, which prevailed over the Court's. So in other cases.—So will it be again.

4. We mean to urge and effect a readjustment of the basis on which Justices of the Supreme Court are appointed. Now Six hundred Thousand Free People in a slave District have equal weight in the constitution of that Court with four Millions in a Free District; and Six Millions of Free People in Slave States have more weight than Six Millions in Free States. This is grossly unjust, and cannot be upheld. Make the Judicial Districts equal let Judges be fairly selected therefrom, and the Dred Scott Decision will soon be overruled and effaced.

5. We mean to create and arouse an elightened public sentiment which shall ultimately place the Federal Government, in all its departments, in the hands of men who love the Constitution and the Union much but Liberty, Eternal Justice and the inalienable Rights of Man, still more—men who will regard Freedom as the universal and everlasting rule and Slavery as the local and transitory exception—men who will give Shylock his "pound of flesh," but warn him in taking it to shed "no drop of Christian blood"—men who will be as tenacious of the rights of men legally free, like Dred Scott, as of those permitted by vicious local regulations, over which the Nation has no control, to claim property in the limbs and bodies of their fellow men.

6. In short, we mean to prove, by the issue of this contest, that Justice is the law of God's universe, to which all human laws should and must conform, and that patient waiting and earnest working will eventually secure its triumph.

—If there be treason in this, let the Federal District-Attorney hurry up his documents.

NORTHERN TEACHERS.

An unusual interest has sprung up recently on the subject of schools and school teachers, and the periodicals all over the country are discussing them, and we are free to confess our pleasure at the favorable sign.

We wish to say a few words in regard to the practice a great many parents have fallen into, of employing teachers from abroad to instruct their children. We propose to give a few reasons for opposing the ruinous feeling, that Northern instructors are as good as Southern.

In the first place, when such a course is pursued, it is virtually saying our own countrymen are incapable of performing this task, which is doing them a manifest injustice. Must it be said of the South that she has not men and women capable of teaching her children? Must it be said, that we are compelled to look abroad for individuals to perform the task that thousands would be glad to assume, not only for the sake of benefiting others, but also themselves? Must it be said of that section of the Union which has ever been noted for her uncompromising adherence to the Constitution, and for its chivalric bearing and State's pride, must it be said of her that she cannot find within her borders spirits congenial to her own, in whom she can repose confidence enough to trust them with the responsible task of instructing youth? Let this be said no longer! Let our political opponents exult no longer over our want of confidence in our citizens! We tell you that in nine cases out of ten, when you employ Northern teachers, you press a viper to your bosom, that will sting you by infusing into the mind of his pupils thoughts, feelings and tastes opposed to Southern interests and Southern institutions—who will strive to impress on their young minds the necessity of abolishing slavery—who will endeavor to infuse into their pliant dispositions Northern prejudices, at a time too, when these impressions can be made as easily as upon soft putty. The young mind has been compared to a blank sheet of paper, on which one can write with ease, and when Abolition notions are stamped thereon, it is a difficult thing to extricate them.—The teacher's powers for good or evil are unlimited, and birth and education have made him an Abolitionist, and it would be contrary to nature to teach one way and think another.

Again, a Northern teacher would necessarily be often brought in contact with the negro, he may do much to injure the prospects of his blind employers. He can talk to them of freedom, and the advantages they derive from it, and make great promises if they will run away and go to some free State, until he gets the minds of the poor deluded wretches worked up to such a pitch that they feel compelled to break the bonds which bind them to their owners. You may say, this is all imaginary and has never occurred, but beging your pardon, we point you to the Southampton Insurrection. That appalling massacre was effected in this very manner of approach—by appealing to the slave instead of the owner. This underhand manner in dealing with us is quite prevalent in the South, as we ought *now* to make a beginning towards putting a stop to it, by refusing to employ teachers from the North.

Shall we continue this odious practice? Why, we ask, has this abominible practice been so much in vogue with us? At the same time we pay Southerners too little, we pay more than they do in New England. The salaries are not sufficient to justify our owu countrymen in engaging in it to any extent, but are enough to bring down a horde of our enemies upon us. Are our young people to be ruined for the sake of saving a few dollars?—'Tell it not in Gath' Then let us increase our wages—put far from us all such small and mean ideas as 'Ruin the child to save a dollar,' and come out in a noble, generous, patriotic light. There are hosts of young men and ladies would be willing to devote their time and talents to this honorable profession, if patrons would give them enough to live decently and respectably on. The time will soon come when we shall see the necessity much plainer, and why not take time by the forelock? No! but like a nation of laggards, we must wait until the evil comes upon us with crushing force before we begin to move in this matter of such importance

Associations form ideas. Then let our children be put under our own people. Remember, that 'just as the twig is bent the tree is inclined.'

Put far from you all such people who say they are Northern men with Southern feelings. It is not so—at least, if it is, they are only worthy of contempt.—*North Carolina Paper.*

DR. CHEEVER ON THE SUPREME COURT.—Dr. Cheever preached a sermon last evening to an immense audience on the recent decision of the Supreme Court, from the text, "Cursed be he that perverteth the judgement of the stranger." He considered the treatment of the African race and the treatment prescribed by God, the condition to which this decision reduced them, its wickedness in the light of law, human and divine, the dreadful influence of that example, its entire nulity as to any duty to obey it, and finally our obligation before God to do away with iniquity. He dwelt upon the Jesuitical sophistry of the decision, which he stigmatized as "this horrid hand-book of tyranny." He thought it fitting that the Judge who pronounced it should not be a Protestant; was of a piece with that religion whose habit it was to anathemize and persecute. The world had waited 6,000 years to see this indiscriminate assassination of a whole race. The part of Cain had been re-enacted on a tremendous scale, but, as in other murders, the great difficulty was to get rid of the body. He noticed the pestilence at Washington, and said if they treated men like rats, they must expect to be poisoned by them. He reviewed the points of Judge Taney's decision. If it were fully carried out, he said an African could be appropriated, if found at large, just as a lump of gold could be if found by the road-side, and already in Virginia it had been proposed to sell the free negroes to pay the State debt. This terrible perversion of the Constitution lays the Judge open to impeachment for his daring attempt to destroy the foundations of the Republic. He called upon the insulted majesty of the churches unitedly to reprobate the dreadful wrong of these Border-Ruffian Judges.

From the New York Tribune.

CONSTITUTIONS AND FACTS VERSUS JUDICIAL OPINIONS.

To the Editor of the N. Y. Tribune:

SIR: Since the Chief Justice of the United States, in his zeal to arrive at conclusions subversive of the liberties both of black men and of white men, has found it convenient to deny that black men have the right to sue in the Courts; since he has assumed the novel position that none can sue in those Courts who have not the right to vote; and since he has assumed as a historical fact that black men had no right to vote at the date of the Declaration of Independence and at the time when the Constitution of 1787-9 was framed and adopted, thus basing his entire logical structure upon that supposed historical fact, it may be well to look into the records and see how they read.

I have before me a book entitled "Constitutional Law, comprising the Declaration of Independence, the Articles of Confederation, the Constitutions of the several States composing the Union, &c.—Washington, Printed and published by Gales & Seaton, Dec., 1820." From the title-page, it would appear that, a little more than thirty-six years ago the "Declaration of Independence," with its "self-evident" truths, and without Judge Taney's restriction to "white" men, was regarded at Washington City as the chief corner-stone in the edifice of "Constitutional Law."

Taking this volume for my text-book (except when otherwise indicated), I proceed to exhibit some extracts from the State Constitutions, which will show who might vote in the States, and whether, or to what extent, distinctions of color were then recognized.

The dates of the several State Constitutions are given, and should be carefully noticed. The publishers give us to understand, in a note, that the Constitutions, as there published, were still in force (1820), with the exception of amendments noticed in an appendix.

We will here divide the States into four distinct classes:

First Class.—States ascertained by their Constitutions to have had no distinction between "white" and "colored" in the required qualifications of voters, at the time when the Federal Constitution was adopted.

These were, Massachusetts, New York, New Jersey, Virginia, Maryland, North Carolina—six States—to which I *now* add (as appears by the published statement of Judge Curtis) New-Hampshire, making seven States in all.

I give quotations from the several State Constitutions from the compilation of Gales & Seaton.

Massachusetts—Constitution formed in 1780.

"The body politic * * * is a social compact, by which the *whole people* covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the public good." "We therefore, *the people* of Massachusetts," &c.—[Preamble.

"All elections ought to be free, and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected for public employments."—[Declar. Rights, Art. 9.

"Every male inhabitant, being twenty-one years of age and upward, having a freehold estate within the Commonwealth of the annual income of £3, or any estate of the value of £60, shall have a right to give his vote for the Senators for the District of which he is an inhabitant," &c.—[Chap. 1, Sec. 2, Art. 2.

"Every male person being twenty-one years of age, and resident in any particular town in this Commonwealth for the space of one year preceding, having a freehold estate, &c. (see above), shall have a right to vote in the choice of a Representative or Representatives, for said town."—[Chap. 1, Sect. 3, Art. 4.

"Those persons who shall be qualified to vote for Senators and Representatives within the several towns of this Commonwealth * * * shall give their votes for a Governor," &c.—[Chap. 2, Sec., Art. 3.

New York.—Constitution formed in April, 1777.

"Every male inhabitant, of full age, who shall have personally resided within one of the counties of this State for six months immediately preceding the day of election, shall, at such election, be entitled to vote for Representatives of the said county in Assembly, *if*, during the time aforesaid, he shall have been a free-holder, possessed of a freehold of the value of twenty-pounds within said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this State."—[Art. 7.

New Jersey.—Constitution formed July 2, 1776. The word "Colony" changed to "State" on the 29th September, 1776.—"*All inhabitants* of this Colony, of full age, who are worth fifty pounds, proclamation money, clear estate in the same, and have resided in the county in which they claim a vote for twelve months immediately preceding the election, shall be entitled to vote for representatives in Council and Assembly, and also for all other public officers that shall be elected by the people of the country at large."—[Art. 4.

Virginia.—Constitution formed July 5, 1776.—"The right of suffrage, in the election of members of both Houses, shall remain *as exercised at present.*"

Previously to this date, Virginia was under the Royal Charter, under the British Constitution and English common law, which could have permitted no distinction of color. This Constitution, it seems, was in force at the date of the publication of the volume from which we are quoting, viz:—December, 1820. And it is well known that negroes continued to vote in Virginia up to the year 1850, when a new Constitution was formed, which excluded them.

Maryland.—Constitution formed Aug. 14, 1776. "*Declaration of Rights.*—1. That all government of right originates from *the people*, is founded in compact only, and instituted solely for the good of *the whole*" 2. "That the *people* of this State ought to have the sole and exclusive right of regulating the internal government and police thereof." 3. "That the *inhabitants* of Maryland are entitled to the common law of England, and the trial by jury," &c. 5. "That the right, in the *people*, to participate in the Legislature, is the best security of liberty, and the foundation of all free government; for this purpose, elections ought to be *free* and frequent, and every man having property in, a common interest with, and an attachment to, the community, *ought* to have the right of suffrage."

"The Constitution and form of Government."—"That the House of Delegates shall be chosen in the following manner: All freemen above 21 years of age having a freehold of 50 acres of land in the county in which they offer to vote, and residing therein, and all freemen having property in this State above the value of £30 current money, and having resided in the county in which they offer to vote, one whole year next preceding the election, shall have a right of suffrage in the election, of Delegates for said country," &c.—[Art. 2.

The matter-of-fact voting of colored persons under this Constitution is attested by the several "amendments," afterward introduced to restrict it, which would have been unnecessary if the privilege of voting was never exercised.

The first of these was passed in 1801 (ch. 19), and confirmed in 1802 (ch. 20), restricting the suffrage to "free white male citizens and no other," in elections "in the City of Baltimore or the City of Annapolis; in the elections of such cities or either of them for Delegates to the General Assembly, electors of the Senate and Sheriffs."

The second amendment, passed in 1809 (ch. 83), and confirmed in 1810 (ch. 33), extended the same restriction ("free white male citizens") to "voters for electors of the President and Vice President of the United States, for Representatives of this State in the Congress of the United States, for delegates to the General Assembly of this State, electors of the Senate, and Sheriffs."

The restriction, like the preceding one, was confined to "the City of Annapolis or Baltimore." Elsewhere, colored citizens were permitted to vote as formerly. And this (according to the book of Gales & Seaton), continued up to Dec., 1820; how much longer I am unable to say.

Maryland, then, from 1776 till 1804, allowed colored citizens to vote on the same conditions with white citizens. As the *colored* vote in Baltimore and Annapolis became so formidable in the State elections, that in 1801 it was extinguished. This sufficed till 1810 when the same influence on national elections became too formidable to be longer tolerated. But, out of Baltimore and Annapolis, colored citizens could still vote. Was Judge Taney ignorant of these facts in his own State?

North Carolina—Constitution formed Dec. 18, 1776. "Declaration of Rights." 1. "That all political power is vested in, and derived from, the people only." 2. "That the people of this State ought to have the sole and exclusive right of regulating the internal government and the police thereof." 3. "That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services." 6. "That elections of members to serve as Representatives in General Assembly ought to be free."

"*The Constitution or form of Government.*—That *all* persons possessed of a freehold, in any town in this State having a right to representation and also all freemen who have not been inhabitants of any such town twelve months next before and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such town in the House of Commons," &c.

This equals Massachusetts, and requires no comment. This brings us to

New-Hampshire.—The six State Constitutions previously quoted bear date from 1778 to 1780, all previous to the date of the Federal Constitution. But in the book of Gales & Seaton, from which I have been quoting, "the Constitution of New-Hampshire" is given "*as altered and amended,*" in February, 1792. This was *after* the adoption of the Federal Constitution, but the title indicates a *previous* one, which must have been formed *before* the Federal Constitution

"*Bill of Rights.*—Art. 1. All men are born equily free and independent; therefore all government, of right originates from *the people*, is founded in their consent, are instituted for the general good." Art. 7. "*The people* of this State have the sole and exclusive right of governing themselves, as a free, sovereign and independent State, and do, and forever shall, exercise and enjoy every power, jurisdiction and right pertaining thereto, which is or may not be by them expressly delegated to the United States of America, in Congress assembled."

11. "All elections ought to be free, and *every inhabitant* of the State, having the proper qualifications, has an equal right to *elect* and *be elected* into office."

"*Form of Government.*"—"Every male inhabitant of each town and parish with town privileges and places incorporated in this State, of 21 years of age and upward, except paupers and persons excused from paying taxes at their own request, shall have a right, at the annual meetings of the *inhabitants* of said towns and parishes, to be duly warned," &c ....."to vote in the town or parish wherein he dwells, for Senators in the County or District whereof he is a member." "All persons qualified to vote in the election of Senators, shall be entitled to vote, within the district where they dwell, in the choice of Representatives." "And the qualifications of electors of the Governor shall be the same as those for the Senators." The same also for electors of the Governor's Council.

Such was the Constitution of New-Hampshire as "altered and amended" in 1792, and in force in 1820. It is to be presumed that the previous Constitution, in force in 1787-9, did not essentially vary in the above particulars, or so as to disfranchise the colored man. And by the statement of Judge Curtiss, it did not. So we may put down *as ascertained, seven* States whose *Constitutions* allowed colored men to vote, when the Federal Constitution was adopted. We now come to

The Second Class.—States ascertained to have formed Constitutions soon after the adoption of the Federal Constitution, making no distinction of color, in respect to voters—affording presumptive evidence that they had no such distinctions in 1787-9.

Pennsylvania. Constitution formed 2d Sept. 1790. "In elections by the citizens, every freeman of the age of twenty-one years, having resided in the State two years next before the election, and within that time paid a State or county tax, which shall have been assessed at least six months before the election, shall enjoy the rights of an elector: provided that the sons of persons qualified as aforesaid, between the ages of twenty-one and twenty-two years, shall be entitled to vote, although they shall not have paid taxes."

The well-known Anti-Slavery character of Pensylvania, at that early period, affords presumptive evidence that in her previous Constitution, *if she had any*, there were no distinctions of color among her voters. If she were under the old "Royal Charter," of course she could not have had any.

Georgia.—Constitution as revised and amended May 30, 1798:

"The electors of members of the General Assembly shall be citizens and inhabitants of this State, shall have attained the age of twenty-one years, and have paid all taxes which they may have had an opportunity of paying, agreeably to law, for the year preceeding the election, and shall have resided six months within the County," &c—[Art. 4. Sect. 1.

If the Constitution, before this revision and amendment, had recognized distinctions of color in voters, it is hardly probable that a change in this direction would have been made in 1798.—But if it were so, the fact would indicate a progress of sentiment directly in opposition to the cherished theories of Judge Taney.

Third Class—States known to have been without any State Constitutions, in 1787-9, when the Federal Constitution was formed, and consequently debarred by their organic law, *the English Charters*, from making any distinction of color in qualifications of voters.

These were Rhode Island and Connecticut.—From their English Carters the Colonial Legislatures derived all their authority to legislate, and could no more contravene them than the State Legislatures can now contravene their state Constitutions: on assuming their Independence, they indeed shook off their dependence upon old Charters, as such, but in the absence of any State Constitutions, regularly formed and recognized, the old Charters were by common consent regarded as fixing the boundaries of legislative action; as being Constitutions in fact, or as standing in the place of them, so that any legislation contrary to them would have been set aside by the Courts.

Rhode Island.—The Charter was granted by King Charles II. in the fourteenth year of his reign. In this as in the other Colonial Charters, the right of the Colonial Government therein constituted to legislate was restricted in these words:

"So as such laws, ordinances and constitutions so made be not contrary and repugnant unto, but as near as may be agreeable to the laws of this, our realm of England."

"There shall be one Governor, one Deputy-Governor and ten assistants, to be from time to time constituted, elected and chosen out of the freemen of the said company, for the time being."

There is no mention of color in the instrument. The fact that negroes voted in Rhode Island, under this Charter, is beyond dispute.

Connecticut was under a similar Charter until 1818 when the first State Constitution was formed. I have no copy of it at hand. But the fact is notorious that colored men voted under this Charter so long as it continued.

The Constitution of 1820, as found in Gales & Seaton's collection, provides that

"All persons who shall have been, or who shall here-after, previous to the ratification of this Constitution, be admitted freemen, according to the existing laws of this State, shall be electors."

This would, of course, include the colored voters admitted under the old Charter. But the admission of colored freeman as voters, thereafter, was excluded by Art. 6, Sec. 2, which says: "Every white male citizen of the United States," &c. This precaution indicates the previous admission of colored voters—a fact that cannot be questioned.

So we may put down Rode Island and Connecticut as ascertained to have had no laws excluding colored persons from voting, until a long time after the Federal Constitution was formed.

This disposes of eleven out of the thirteen original States, and ranks them on the side of negro suffrage in 1787-9, notwithstanding Judge Taney's assertions.

Fourth Class.—States ascertained to have had (whether authorized by Constitutions or otherwise) distinctions excluding colored voters, in 1787-9.

These are Delaware and South Carolina.

Delaware appears to have been without any State Constitution until June, 1792. I have been unable to find any earlier one. If she had none previously, then her enactments excluding colored voters, in 1787-9, must have been not only without but against authority, as she must have been under an English charter, like those of Connecticut and Rhode Island, which would have rendered her Legislative distinctions of color nugatory.—That Delaware had such enactments appears from a statement of the Hon. Willard Hall, Secretary of that State, who says:

"The first statute of this State defining the condition of maumitted slaves was passed Feb. 3, 1787. The words used are:

"No slave maumitted agreeably to the laws of this State,' &c, 'or the issue of any slave, shall be entitled to the privileges of voting at elections."

I infer from the fact of this legislative enactment that no State Constitution then existed, containing such a definition; otherwise, the statute would have been superfluous. Of the condition of free colored men before this enactment, Mr. Hall says:

"The negro color being black, this color was deemed evidence of the condition of Slavery originally; and this color, and any mixture of it, while it could be distinguished, excluded from the right of suffrage, and from the privilege of being elected. Such was the practice, resting upon common law, in this particular."

"Common law" in favor of distinctions of color!! This account confirms the impression that no constitutional provision authorized the exclusion of colored voters; and that the "common law" of an old English charter was violated by the practice.

In the Constitution of Delaware of 1792, the phrase "every white citizen" is inserted.

We may dismiss Delaware, with strong doubts of her having had in her organic law any authority for her exclusion of colored voters in 1787-9. Abuses are not law.

South Carolina.—Constitution formed in 1790, one year after the the Federal Constitution went into operation. In this Constitution I find the following:

"Every free *white* man, of the age of twenty-one years, being a citizen of this State," &c., "shall have a right to vote," &c.

But this does not settle the question of the position of South Carolina in 1787-9.

I find further information, however, from another source, namely: "Statutes at Large of South Carolina, edited, under authority of the Legislature, by Thomas Cooper," &c.; printed by A. S. Johnson, Charleston (S. C.), 1836.

From this I learn that in 1663, and again in