

MR. PRESIDENT:—I have refrained from intruding upon the time of the Convention until now, but the importance of the question presented here for consideration, brings us before the American people of California, to-day, to ask their decision upon the great subject of negro suffrage. It is the most momentous issue ever addressed to public opinion, and embraces the political prospects of all parties, as well as the duration and destiny of our Republican institutions.

Fifteen years ago, when the despotism of slavery was at the height and plenitude of its power, and every interest, social and political, subserved its ends, California, in drafting a Constitution as one of the sovereign States of the Union, decreed that no bondsman ever should be held by legal enactment or constitutional law within her limits. In laying down this broad principle of liberty and self-government, her citizens were not actuated by the spirit of '76; they did not desire to recognize the negro as a man, nor to elevate him as a brother, but they seemed to be guided by an axiom of the learned Blackstone, in his theory upon the origin of governments, where he asserts that "The only true and natural foundations of society are the wants and fears of its individuals." The men of New England birth and education who exercised a pre-dominating influence, comprehending the magnitude of this dictum, and stimulated by the immense mineral

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and agricultural resources opened to industry, could not tolerate a system that enabled one man with his hundred poor, black, ignorant slaves, to compete with the brains, the energy and toil of the same number of white freemen. They knew they owed fealty to compromises and expedient fugitive slave laws, but the greater law of self-preservation outweighed all supposed obligations and consecrated the virgin soil of this young State to freedom. Sir, we have lived and prospered under the experiment, through the devastations of floods and fires, and Heaven still continues to bless the land. The motives that prompted the adoption of a free constitution in 1850, were those of policy, and are equally paramount now upon the expediency of negro suffrage. California did not actively participate in the conflict of the great rebellion; she has no sins to atone for to her disloyal element for the entombing of thousands of Southern chivalry; but when dread embarrassment nearly neutralized the efficiency of the Government, when gold and silver were like drops of precious blood oozing from a decaying body, her hardy sons drained her hills and valleys to retard the inflation of a paper currency; to restore confidence to the farmer, the mechanic and the merchant, and once more to un-

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sand hard dollars sent at such a critical time, from these golden shores, was equal to a brilliant victory won by the fearless Hooker—towering in the clouds, or the gallant Porter, ploughing the majestic waters of the Mississippi. The vital question to be seriously pondered over by the Union men, who have been baptized in the grace of the Emancipation Proclamation is: If it was impolitic, at the adoption of the State Constitution, to confide its influence and power upon those inimical to free labor, what can be gained now by permitting the same lurking, ambitious spirits to exercise privileges over the loyal negro, under the beneficent government they have aimed to strike from the family of nations? Do sane men believe that the temper which impelled the atrocities at Andersonville, capable to purify the Tory blood that sanctified the Hartford Convention, and reared that ephemeral dynasty at Richmond, which laid its corner-stone amid the agony of human sufferings? A mere amnesty oath, not scared enough to quiver the lips of those who rejoiced at the massacre of Union soldiers upon the bloody plains of Fort Pillow cannot attest the fixed determination of unfeeling hearts. A thousand pardonings from a lenient President, a million voices sound the redeeming grace of God's eternal word, will never remove the damning prejudice against the negro, and unappeasable hatred nourish[-]

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ed against Yankee enterprises, Yankee ingenuity and Yankee success. The opponents of a reconstructed Government and of a reunited people are not yet appeased to the humiliation of defeat; they are of a proud and revengeful spirit, educated in the opinion that they were born to rule, and dispense whatever immunities may accrue; they have not yet relinquished the purposes they sought to accomplish upon the field of battle; they are determined again to be in power, to curb the despised Yankees in all their isms, and grind deeper down in despair the unprotected negro. To perfect this unholy purpose, they may be seen merging with Short and Long Hairs, rallying under every deceptive banner, spreading their canvas to catch the popular breeze of the great People's Party, and in order to mislead, divide and scatter these great elements of Unionism, founded upon the patriotism of the immortal Lincoln, they are endeavoring to arouse the vulgar passions of the ignorant upon false issues against the negro's undoubted claims to equality before the law. I am here, sire, though of humble social position, and without notoriety, to warn those who are conservators of the public peace, in whose places another generation, perhaps not so well experienced, are soon to stand, that the loyal heart and well directed vote of the negro should now be summoned to counteract the deep laid schemes of involving this nation in

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another revolution—not a revolution swayed by vast armies, complete navies, and military heroes, eclipsing the world in wonderful daring—but an insidious revolution of public sentiment, undermining the virtue and morality of the people, and drifting every noble impulse of the human heart down the vortex of corruption.

This assemblage, in behalf of the colored people throughout the State, and whose labors are indissolubly bound with all her interests, ask to become equals before the law, not from sympathy with their condition, but as they are made amenable to all her laws, simple justice demands that they should have a voice in selecting the administrators of its powers. They seek it upon the assumption that they are no longer an enslaved race, but full citizens according to the decision of Attorney-General [Bates], and the recognition and acceptance of a black man in all his rights in the highest tribunals of the land. If the people of free and progressive California can jeopardize their reputations for these great qualities of discerning expediency, by withholding so great a boon, when considering their attitude with the progress of liberal principles, they will stand disgraced and condemned before the world for pretending to be governed by that sublime emanation that declares “all men free and equal.”

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I not remind the authors of this evasive and flimsy pretext, that the negro in America, like the Israelites among the ancient Egyptians, have watched superior character, assimilated with the same ideas, and imitated the same virtues, until out of a servitude of two hundred and fifty years, they have not only made a name which is a power of strength among civilized mankind, but they have reared a nationality which is coextensive with the fame and future of the American people. The poor negro has indeed been severely scourged. Meeting the contact so long denied his ancestry, but which was essential to their full development, it has made them a new born race looking through a long vista of departed years, and mourning over the past barbarism of the race. Thank God, sir, they are in America, and especially in our beloved California, no longer discordant in feeling. Every heart moves by the touch of that chord which reverberates the sacred anthem of freedom; they are no longer content with the inklings that escape the white oppressor's tongues, because they have too often heard those tongues one moment breathing devout prayers to the Majesty of Heaven, and then again, almost in the same breath, uttering curses upon the weak and despised. The false duties of superstition have ceased to encumber their understandings, and truer oracles in the persons of refined colored men are reflecting the living

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light of truth; black men are making and recording their own history; writing their own literature; coining their own poems; preparing their own school teachers, and disseminating useful information where it was never tasted or known before.

The press, that mighty pendulum of human liberty, is now partly wielded by Anglo-African genius. Refined by the great variety of learning that is open to all, it is effecting a mighty work and changing the tide of events; its columns are perused in the mansions of rulers, the halls of legislation, the sacred precincts of the judiciary, and the humble cabin of the miner; it is emancipating the minds of those in wisdom and power from error, while it teaches its less favored votaries the grand principles upon which governments are founded, and its salutary prerogatives over all its subjects. Our people, being accustomed to act as directed, are quietly but surely receiving the new light that is breaking in upon them, and in anticipation of a higher sphere of action, are mastering the difficulties of language, the intricacies of social and political law, and the breadth and scope of Constitutions. What class of citizens are they who would smother the infant efforts of a struggling race, just emerging from the darkness of a long night into the bright beams of a dawning day? Can it be the noble born American who will refuse us the right to drop a ballot as well

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as to aim a bullet? They should recollect that their hours of youth, their days of manhood, and their decline of years, have been tenderly watched by the negro's kindness since the Republic was rocked in infancy. Can it be the warm and generous-hearted Irishman, who first received here, in his adopted country, those gems of liberty that reverted his imagination back to the heroic death and epitaph of Emmet, the gifted eloquence of Walton, and the patriotic lessons of the incomparable O'Connell,—whose thrilling tones ever went to the hearts of men for liberty and equality to all races of men? Sir, do not tell me it is the honest and toiling German, whose fatherland has so long kept the undimmed fires of freedom and independence so brightly burning. Why is it the charmed land that cradled renowned Luther and moulded the transcendent genius of Schiller. When did these people prove recreant? For their love and struggles for liberty have illumed all Europe and the world, from the dread conflicts of past ages to the memorable revolution of 1848. Do I hear that it is the chivalric son of gigantic France, whose own great Lafayette dedicated life and fortune to the maintenance of the rights of man? Have they degenerated from the electric of the Marseillaise battle hymn of liberty, or will they attempt to wipe from memory the aspirations of their sincere but dreamy Lamartine? To all these people of different races,

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speaking different languages, and having diverse notions of the true policy of the American Government, I know that plausible argument will be produced by our antagonists against the negro's right to equality before the law. But every righteous cause has always been assailed by subtle argument and almost convincing logic. It is little over the lifetime of temperate men when England's most astute statesmen endeavored to make America believe that George III. had a divine right to impose upon the infant colonies "taxation without representation;" but Patrick Henry, in the House of Burgesses of Virginia, and black Crispus Attucks, in the streets of Boston, demurred, and the once humble dependencies are now a mighty and expanding nation. I need not cite the massacre of St. Bartholomew, where the poor but faithful Huguenot bit the dust of persecution, the horrors of the Spanish inquisition, and the inhuman cruelties of the monster Philip the Second—all of which have been justified by as potent argument as that now produced in opposition to the negro's elevation. The negro's right to vote is indisputable, because wherever his mind has been educated he has given the same evidences of proficiency, because he has measured steps with the highest perfection of man's courage, by three times signally rescuing the country from the most impending dangers; because the wise men who lived about the time

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the National Government was framed, gave black men the right to vote in North Carolina, Virginia, Maryland, Delaware, and many other slave States, without detriment to the general weal; and it is a historical fact, that there is no word, no line, nor article, interpretative or constructive, embodied in the great instrument, that invalidates the rights of freemen, white or black, from its adoption, eighty odd years ago, down to the infamous dogma uttered by Roger B. Taney (oh, that execrable name, equal in infamy with the notorious Jeffries), the Dred Scott decision, enunciating that black men had no rights, because God so willed the color of their skins,—has left an indellible stain upon American jurisprudence, which in a free country should be the most important and useful to all classes of men. Why, sir, the spotless fame of Storey and Marshall will nearly become tarnished in veneration of future generations through the very process of contact that seated such a man upon the same bench or under the same roof where they dispensed the Godlike attributes of justice, The word white, Mr. President, in the Constitution of California, is anti-republican—at variance with the good sense and magnanimity of her people, repugnant to many of her sister States, inconsistent with the present age, and unwise when considered in connection with the intercourse soon to be established with the copper-colored nations of

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China and Japan. We, as black men, concede the fact that a few years since, when our interest was mingled with slavery and degradation, and when the interest of this flourishing State was under the dominion of such satellites as W. M. Gwin, and P. T. Herbert, and J. B. Weller, that the black race had nothing to look for but cold indifference and contemptible hatred; but now that the country is reeling upon the brink of ruin, with a yawning abyss of destruction awaiting to receive its crumbling wreck, we ask, calmly but firmly, shall we not be allowed once more to prop its mighty superstructure, so that it may stand the ravages of time? Remember, men in power, the vast responsibilities resting upon your judgment. Other nations have passed through somewhat similar ordeals like yours before they became strong and consolidated; but none like yours have ever been seen trying to devise escapes from the strongest and most reliable element of their support. If you are inspired by that patriotism that sinks all consideration of prejudice, to the greatness and glory of America's future, then all will be well. But if expediency and narrow contracted views govern your councils, and the unmistakable purpose of Divine authority be disregarded, then, like the perverse nations of old, grand and now beautiful America will be mingling with their mouldering decay.

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