The following is clipped from the *Daily Republican* of Washington, D. C., October 23, 1883, which shows how a large number of the most eminent men in the United States understood the effects of that horrible decision.

THE COLOR CONTROVERSY.

AN IMMENSE MASS MEETING OF THE COLORED CITIZENS AND THEIR FRIENDS AT LINCOLN HALL.

ELOQUENT SPEECHES BY FRED DOUGLASS, COL. R. G. INGERSOLL AND OTHERS.

THE REPUBLICAN AND DEMOCRATIC PARTIES REMINDED OF THEIR DECLARATIONS AND PLEDGES.

THE ORGANIZATION OF CIVIL RIGHTS AGITATION ASSOCIATIONS RECOMMENDED.

In all its history Lincoln Hall was never so crowded as last night. There was no standing room--there was scarcely even breathing room. Stage and floor were alike crowded. There were over 2,000 persons inside the doors, and double that number turned reluctantly away after finding it impossible to get in. In point of numbers it was the largest meeting ever gathered in a Washington hall.

The occasion was as equally remarkable as the attendance in bringing together all the most prominent colored citizens of the district, as well as very many distinguished white. All the famous leaders of the race were present--Frederick Douglass, Blanche Bruce, Richard T. Greener, John F. Cook, Rev. Francis Grimke, and others. Present with them were such white representatives as Col. R. G. Ingersoll, Rev. Dr. John E. Rankin, Judge Shellabarger, President Patton of Howard University, and others equally as famous for their efforts in the religious and political world in behalf of equal rights and justice. Hundreds of white ladies were seated on the stage and in the audience. A few of those on the stage were Judge Lawrence, A. M. Clapp, Judge Shellabarger, M. M. Holland, Rev. T. W. Moore, Perry Carson, Collector Cook, Rev. Frances Grimke, and Prof. Gregory, Fred Douglass, jr., L. H. Douglass, Rev. A. W. Upshaw, Rev. William Waring, Dr. O. M. Atwood, Dr. Francis, Calvin Chase, Mrs. Belva Lockwood, President W. W. Patton of Howard University, Prof. Willey Lane.

Prof. J. M. Gregory presided, and Rev. Dr. Grimke opened the meeting with an impressive prayer. Prof. J. M. Gregory, in a brief address, stated the object of the meeting. The resolutions herewith following were read by Lewis Douglass and were unanimously adopted:

THE RESOLUTIONS.

WHEREAS, The Supreme Court of the United States has solemnly declared its opinion that the congressional enactment known as the civil rights law, of February 27,

1875, is not in accordance with the United States Constitution, and consequently inoperative as a measure for the protection of the negro in his manhood rights; and whereas, the customs and traditions of many of the States in the Union are inimical to the negro as a man and as a citizen, he finds neither in the common law nor in the sentiments of his white fellow citizens, that full protection which he has earned by his loyalty and devotion to the nation in its hour of extreme peril; and whereas, it is our duty, as good law-abiding citizens, to respect the decision of the courts as the validity of the laws upon which they are called to pass judgment; therefore be it

Resolved, That words of indignation or disrespect aimed at the Supreme Court of the United States would not only be useless as a means for securing our main object--namely, the protection due to our manhood and citizenship, but, on the contrary, would tend to alienate our friends and all who have faith in the honesty and integrity of that august and learned tribunal.

Resolved, That it is the primal duty of all lovers of their country, all friends of justice, without respect to party lines, to see to it that the full and equal protection of the laws are afforded every citizen, without regard to race, color or previous condition of servitude.

Resolved, That we hold the Republican party to the enforcement of its demand, "That complete liberty and exact equality in the enjoyment of all civil, political and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal legislation; and that neither the law nor its administration should admit any discrimination in respect of citizens by reason of race, creed, color or previous condition of servitude."

Resolved, That we would remind the Democratic party of its declaration in the national convention of 1872, "that we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political."

Resolved, That it is the paramount duty of the colored voter to give his aid and support to that party or coalition of parties that will give force and meaning to the utterances, pledges and demands of the Republican and of the Democratic party in their platforms of 1872, in respect of the protection of colored citizens in their manhood rights.

Resolved, That no more conclusive evidence of the sincerity of the utterances of the two great political parties of the land can be afforded than the adoption in the several States under their control of a measure guaranteeing that protection sought to be established by the civil rights act of 1875.

Resolved, That the progress of the colored American citizen in morals, education, frugality, industry, and general usefulness, as a man and as a citizen, makes it the part of

sound policy and wisdom to maintain and protect him in the enjoyment of the fullest and most complete rights of citizenship.

Resolved, That we invite the co-operation of all good men and women in securing such legislation as may be necessary to complete our freedom, and that we advise the immediate organization of civil rights associations throughout the country, through which proper agitation and earnest work for our cause may be inagurated and carried out.

The chairman then, in the most complimentary terms, introduced

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Fred Douglass, alluding to him as the one leader to whom the colored people had always looked in every emergency, and who had always been found equal to every emergency.

FRED DOUGLASS.

When Mr. Douglass advanced to the front of the platform he was greeted with loud and prolonged applause. He spoke from manuscript saying that he had taken the pains to write what he had to say that he might not be misrepresented.

He said that when the excitement of the hour had passed away, and the complete text of the decision of the Supreme Court, with the dissenting opinion of Judge Harlan, who has so nobly dared to follow his own convictions, have been received, we may be better prepared to speak calmly and wisely than is possible now. We have been grievously wounded in the house of our friends, and the wound is too fresh, too deep, and too painful for the measured speech of ordinary occasions.

The cause which has brought us here to-night is neither common nor trivial. Few events in our national history have surpassed it in magnitude, significance and importance. It has swept over the land like moral cyclone, leaving moral desolation in its track.

We feel it as we felt the furious attempt, years ago, to force the accursed system of slavery upon the soil of Kansas, the enactment of the fugitive slave bill, the repeal of the Missouri compromise, the Dred Scott decision. I look to it as one of the striking and shocking developments of the conflict between the spirit of liberty and the spirit of slavery, and I venture to predict that it will be so regarded by after coming generations.

He then alluded to the growing evil of disrespect for authority, and said that this should be guarded against, for whatever the incidental mistakes or misconduct of rulers, government was better than anarchy and patient reform better than violent destruction. He then quoted the Fourteenth Amendment to the Constitution, and said:

Now, when a bill has been discussed for weeks and months, and even years, in the press and on the platform, in Congress and out of Congress when it has been calmly

debated by the clearest heads and the most skilful and learned lawyers in the land, when every argument against it has been over and over again carefully considered and answered, when its constitutionality has been especially dwelt upon pro and con, when has passed the United States House of Representatives, and has been solemnly enacted by the United States Senate, perhaps the most imposing legislative body in the world, when such a bill has been submitted to the Cabinet of the nation, composed of the ablest men in the land when it has passed under the scrutinizing eye of the Attorney-General of the United States; when the executive of the nation has given to his name and formal approval; when it has taken its place on the statute book and has remained there for nearly a decade, you will agree with me that the reason for declaring such a law unconstitutional should be strong, irresistible and absolutely conclusive.

Inasmuch as the law in question is a law in favor of liberty and justice, you will agree with me it ought to have had the benefit of any doubt which might have arisen as to its strict constitutionality. This, I believe, will not only be the view taken of it by laymen like myself, but by eminent lawyers as well.

The Supreme Court is the autocratic point in our national government. No monarch in Europe has a power more absolute over the laws lives and liberties of his people than that court has over our laws, live

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and liberties. Its judges live, and ought to live, an eagle's flight beyond the reach of fear or favor, praise or blame, profit or loss. No vulgar prejudice should touch them anywhere. Their decisions should come down to us like the calm, clear light of Infinite justice. We should be able to think of them and speak of them with profoundest respect for their wisdom and deepest reverence for their virtue, for what his holiness, the Pope, is to the Roman church, the Supreme Court is to the American State. They are men, to be sure, and may not claim infallibility, but, like the Pope, they are the supreme power of the nation. What will be said here to-night will be spoken, I trust, more in sorrow than in anger--more in a tone of regret than in a tone of bitterness.

We cannot, however, overlook the fact that, whether so intended or not, this decision has inflicted a heavy calamity upon the seven millions of the colored people of this country, and left them naked and defenceless against the action of a malignant, vulgar and pitiless prejudice.

It presents the United States before the world as a nation utterly destitute of power to protect the rights of its own citizens. It can claim service and allegiance, loyalty and life of them, but it cannot protect them against the most palpable violation of the rights--rights to secure which governments are established of human nature.

It can tax their bread and tax their blood, but has no protecting power for their persons. Its national power extends only to the District of Columbia and the territories, where the people have no votes and the land has no people. All else is subject to the

States. In the name of common sense, I ask, what right have we to call ourselves a nation in view of this decision and this destitution of power?

In humiliating the colored people of this country, this decision humbles the nation.

He referred to the fact that under this decision a South Carolina or Mississippi railway conductor had the power to order the wife of the chief justice into a smoking car, or a hotel keeper turn her out into the night or storm, and there was no redress in the courts, as the evil principle affirmed was not confined or spent upon persons of color, although in the instance he had alluded to this lady would be protected on account of her color. He then referred to the danger threatening the republic by the growing spirit of caste, and alluded to England's oppression of Ireland as the chief cause of her present weakness. Continuing, he said:

We want no black Ireland in America. We want no aggrieved class in America. Strong as we are without the negro, we are stronger with him than without him. The power and friendship of seven millions of people, however humble, are not to be despised. To-day our republic sits as a queen among the nations of the earth. Peace is within her walls and plenteousness within her palaces, but he is a bolder and far more hopeful man than I am, who will affirm that this will always last. History repeats itself. What has happened once may happen again. Gen. Jackson at New Orleans found it necessary to call upon the colored people to assist in his defence against England. Abraham Lincoln found it necessary to call upon the negro to defend the Union, and the negro responded gallantly in both cases. What has happened once may happen again. Our legislators, out presidents and our judges should have a care lest they destroy that love of country which is needful to the nation's defence in the day of trouble.

He left the constitutionality of the decision of the Supreme Court to the lawyers, but claimed the right to remark as to a strange and glaring inconsistency which appears in the action of the court on this civil rights bill. It is a new departure, entirely out of the line of the precedents and decisions of the Supreme Court at other times and in other directions. It

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has utterly ignored and rejected the force and application of intention as a rule of interpretation. It has construed the constitution in defiant disregard of what was intended by the adoption of the Fourteenth Amendment. It has made no account of the intention and purpose of Congress and the president in putting the civil rights bill upon the statute book of the nation. It has seen fit in this case, affecting a weak and much persecuted people, to be guided by the narrowest and most restricted rules of legal interpretation. It has viewed both the constitution and the law with strict regard to their letter, but without any generous recognition of their broad and liberal spirit.

Now, what I complain of, and what every lover of liberty in the United States has a right to complain of, is this sudden reversal of all the great rules of the legal interpretation

by which this court was governed in other days, in the construction of the constitution and of laws respecting colored people. In the dark days of slavery, this court, on all occasions, gave the greatest importance to intention as a guide of interpretation. The intention of the law, it was said, must prevail. Everything in favor of slavery and against the negro was settled by the intention. The constitution was construed according to its intention. Its plain language was sacrificed and had to fall before intention of its framers. When we said in behalf of the negro that the constitution of the United States was intended to establish justice and to secure the blessings of liberty to ourselves and our posterity, we were told that that was not its intention, that it was intended only for white people, and that the intention must govern.

When we came to that clause of the constitution which declares that the migration or importation of such persons as any of the States may see fit to admit shall not be prohibited, and the friends of liberty declared that that provision of the constitution did not describe the slave trade, they were told that while its language applied not to slaves, but to persons, still the purpose and intention of that clause of the constitution was to protect the slave trade, and that that intention was the law. When we came to that other clause of the constitution which declares that "no person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due," we insisted that it neither described nor applied to slaves; that it applied only to persons owing service or labor; that slaves did not and could not owe service and labor; that this clause of the constitution said nothing of slaves or the masters of slaves; that it was silent as to slave States or free States; that it was simply a provision to enforce a contract, to discharge an obligation between two persons capable of making a contract, and not to force any man into slavery. For the slave could not make a contract; we affirmed that it gave no warrant for what was called "the fugitive slave bill," and we contended that that bill was therefore unconstitutional. But our arguments were laughed to scorn by that court. We were told that the *intention* of the constitution was to enable masters to recapture their slaves, and that the fugitive slave law was constitutional.

Fellow citizens: While slavery was the base line of American society, while it ruled the church and the State, while it was the interpreter of our law and the exponent of our religion, it admitted no quibbling, no narrow rules of legal or scriptural interpretation of Bible or constitution to govern the judicial mind of that high court: It demanded its pound of flesh, no matter how much blood was shed in the taking of it. It was enough for it to be able to show the intention to get all it asked in the

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courts or out of the courts. But now slavery is abolished. Its reign was long, dark and bloody. Liberty now is the base line of the republic. It has supplanted slavery, but I fear it has not supplanted the power or spirit of slavery. Where slavery was strong liberty is weak.

Oh, for the Supreme Court of the United States which shall be as true to the claims of human liberty as the supreme court formerly was to the claims of slavery? When that day comes, as come it will, a civil rights bill will not be declared unconstitutional and void, in utter and flagrant disregard of the intentions of the national legislature by which it was enacted and of the rights secured by the constitution.

As individuals the State of South Carolina may, under this decision, stamp out the rights of the negro wherever they please so long as they do not do so as a State. All the parts can violate the constitution, but the whole cannot. It is not the act itself that is unconstitutional in the view of its decision.

Its unconstitutionality depends wholly upon the party committing it. If the State does it, it is wrong; if the citizen of the State does it, it is right. "O, consistency, thou art indeed a jewel?" What does it matter to a colored citizen whether he is unlawfully insulted and outraged by a State if the same is allowed to be committed by a citizen of a State? The effect upon him is the same, and it was just this effect that the framers of the Fourteenth Amendment plainly intended by that article to prevent. It was the thing, not the instrument. It meant to protect the newly enfranchised citizen from injustice and wrong, not merely from a State, but from the individual members of a State. It meant to give him the protection to which his citizenship, his loyalty, his allegiance, and his services entitled him, and this meaning, and this purpose, and this intention is now declared unconstitutional and void by the Supreme Court of United States.

I say again, fellow citizens: Oh, for a supreme court which shall be as true, as vigilant, as active, and exacting in maintaining laws enacted for the protection of human rights, as in other days that court was for the destruction of human rights.