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PROCEEDINGS  
OF THE  
STATE CONVENTION  
OF THE  
COLORED MEN  
OF  
THE STATE OF OHIO,

HELD IN THE CITY OF COLUMBUS.

January 21st, 22d & 23d. 1857.

COLUMBUS:  
JOHN GEARY & SON.  
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## PREFACE.

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At the call of the Executive State Committee the Convention assembled in the City Hall, Wednesday morning, January 21st, at 9 o'clock, and continued three consecutive days and evenings, and adjourned on Friday night at 10½ o'clock, *sine die*, with three cheers for liberty and the progress of liberal sentiment in Ohio. Its objects were to foster morals, discourage an ignorant ministry, encourage education, temperance, industry and economy among the colored people, and to seek the repeal of all laws which make distinction on account of color, by refusing colored persons admission into the public institutions of the State for the insane, blind, deaf and dumb, and especially to have the obnoxious feature in the Constitution erased which prevents *colored men from the right of an election*. So noble a purpose ought to have enlisted the sympathy and active co-operation of the colored people in the whole State, but such I regret was not the fact, and instead of forty or fifty delegates we should have had five hundred deputies, resolute and firm, but not fanatical, but determined, though defeated every day in the year, to use all lawful means in their power to secure the immunities of an American citizen. But those who were present represented, in a fair proportion, the respectability, and I know the intelligence of the people. I was glad to see the interest taken in the meeting by the people of Columbus, especially the colored people. The weather was very cold, and the hall where the session was held was cold, but the ladies, God bless them! cheered us with their smiles, and wishes and approbation, and for which I thank them, not for myself alone, but for the millions with whom I am identified in suffering and wrong.

Among those who were conspicuous in Convention, were Peter H. Clark, of Hamilton, now assistant editor of "Frederick Douglass' Paper;" John Mercer Langston, a young and talented member of the Lorain bar; John Jones, a graduate of Oberlin College, and a promising young man; J. I. Gaines, a boat-store keeper of Cincinnati; Dr. Charles H. Langston, a teacher of a grammar school at Columbus; Thomas Goode, an enterprising mechanic of Cincinnati; Mr. David Jenkins, Mr. John Booker, Mr. Jno.

Malvin, Mr. W. H. Burnham, and Mr. John Watson, of Lorain county. A great work is before these gentlemen. Not the making of a President, a Governor, or a member of the Supreme Bench, but to redeem from ridicule and contempt the religion, civilization and republicanism of America. Now, because a man is black, it is no reason why he should not kneel at the same altar, dine at the same table, ride in the same coach, be educated in the same school, and be buried, if he desires it, in the same graveyard, by the side of his anglo-American brother; and he who denies him the right, is either a heathen or a tyrant. But we are told that colored men are ignorant, and this is assigned as a reason why they should not vote. Are we any more ignorant than the thousands of foreigners who annually flood the country? Are we more ignorant than the thousands of poor white men in the States who can neither read nor write, as indicated by the census of 1850, and certain revelations made during the last campaign for President of the United States? Hon. Henry A. Wise, the eccentric Governor of Virginia, boasted in a public speech that in his district there were but few newspapers and free schools, and of course but few men, comparatively speaking, who could either read or write; and I suppose those were the gentleman's constituents.— And yet such persons are allowed to vote for Franklin Pierce or James Buchanan, while an intelligent, educated and wealthy man of color is driven from the polls as though he were a dog. This monstrous injustice must be kept before the people, and since we have no organ to do it, no mouth-piece to tell our wrongs, we must avail ourselves of Conventions to spread the light. Long, then, may our annual meetings live! Long may they live to infuse a more catholic spirit, a more genial sentiment among the dominant class in Ohio towards the colored people!

# PROCEEDINGS.

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COLUMBUS, January 21, 1857.

Convention met as per call of the State Central Committee, in the City Hall.

Mr. Jenkins, of Franklin, called the house to order, and on his motion John Watson, of Lorain, was appointed temporary Chairman.

W. H. Burnham, of Cuyahoga, and A. J. Chancellor, were appointed temporary Secretaries.

On motion of W. P. Morgan, of Logan, a Committee of five was appointed on permanent organization. The Convention appointed the following gentlemen :

J. M. Langston, of Lorain ; Granville Foster, of Highland ; W. P. Morgan, of Logan ; D. S. Bruce, of Harrison, and David Barnett, of Pike.

After a few minutes absence, the Committee reported the following gentlemen permanent officers of the Convention :

*President*—John M. Langston.

*Vice Presidents*—John Watson, W. P. Morgan, W. W. Johnson, John Booker.

*Secretaries*—W. H. Burnham, Peter H. Clark, D. S. Bruce.

*Business Committee*—D. Jenkins, C. H. Langston, P. H. Clark, A. J. Chancellor, David Barnett, John I. Gaines, John Malvin.

*Finance Committee*—C. H. Langston, D. Jenkins, Jas. Evans.

When on motion of D. Jenkins, the report was adopted.

Whereupon the following gentlemen enrolled themselves as members of the Convention :

*Lorain County*.—J. M. Langston and John Watson.

*Ross County*.—J. A. Chancellor and C. D. Williams.

*Hamilton County*.—W. H. Fuller, Thomas J. Goode, W. H. Mann, Peter H. Clark, John J. Gaines and George W. Roots.

*Pike County*.—David Barnett.

*Highland County*.—Granville Foster.

*Muskingum County*.—Fenton M. Harper.

*Logan County*.—W. P. Morgan, W. Hocking, William Johnson, J. Archer, B. E. Heathcock, and W. P. Moxley.

*Champaign County*.—William Walden.

*Harrison County.*—D. S. Bruce and J. Manley.

*Delaware County.*—Washington Wooldredge.

*Green County.*—John C. Jones and W. H. Hanster.

*Clark County.*—Henry Washing and Robert Piles.

*Wyandott County.*—A. A. Allen.

*Licking County.*—Henry Lucas and William Henry.

*Franklin County.*—D. Jenkins, John Booker, Allen Johnson, Augustus Anderson, James E. Evans, O. H. Langston, Isham Martin and Wilman Milton.

*Cuyahoga County.*—W. Hurst Burnham, R. B. Leech and John Malvin.

The Business Committee reported the following resolutions, which were unanimously adopted :

*Resolved*, That, in the language of John Wesley, Slavery is the sum of all villainies, and ought to be resisted, even unto death.

WHEREAS, The accumulation of wealth has a great tendency to elevate any people, therefore

*Resolved*, That the Convention recommend to the colored people of this State to form in each county associations whose object shall be to unite the capital of our people for the purpose of buying real estate.

*Resolved*, That whereas a party favorable to the interests of the colored people, and of strong anti-slavery proclivities, is now in power in this State, therefore we most earnestly, yet respectfully, call upon them not only to *repeal all* of the remaining Black Laws of this State, but to strike out the word WHITE from the Constitution wherever it occurs.

*Resolved*, That we renew our recommendation to the colored people of the State of Ohio, to proceed at once in every town where it is practicable, and where they cannot be enrolled among the whites, to form a military company or companies for the study of Scott's military tactics, and to become more proficient in the use of arms.

*Resolved*, That all male inhabitants (white or colored) above the age of eighteen years, of good moral habits, and who have resided in the town or place where they may make application for membership, one year next preceding such application only, shall form a part of the company, and we pledge our influence everywhere and at all times to their support.

*Resolved*, That we hail with pride the company now at Cincinnati, under the title of the Attuck Blues, and we hope its star may never go down; that it may live to be of service to our State, our people and country.

*Resolved*, That we are opposed to the *agitation of colonization or emigration* in every shape and form, if it means the removal of the colored people in the States to the North, South, Central America, Canada or Africa, believing such *agitation* to be detri-

mental to the best interests of the race, and we do pledge ourselves to resist it, come from what quarter it may.

*Resolved*, That if any one desires to remove, and thinks by so doing he can better his or her condition, or that of his family, we recommend him to do so, but not to hazard the rights of those who choose to remain behind.

*Resolved*, That the utter impossibility of preaching the gospel of Christ in its full purity and power in most of the Southern States of this nation, renders it incumbent upon those in the Christian Church of America to withdraw all ministers and churches from that section, thus obeying the divine command:—"When they persecute you in one city flee ye unto another;" and thus bearing their strongest testimony against the unpardonable sin of America—Slavery—teaching the slaveholder that he is self-excommunicated by his persistence in that foul practice.

*Resolved*, That the General School Law of Ohio, by putting the education of the colored youth of those districts where they number less than thirty, at the mercy of any narrow minded creatures who may be prompted by their illiberal prejudices to object to their admission into the public schools of the neighborhood, afflicts a grievous wrong upon those children, and works a permanent injury to the interests of the State of Ohio by keeping a portion of her people in ignorance, and as colored men and citizens of Ohio we protest against the wrong.

*Resolved*, That we earnestly request our people to avail themselves of the educational facilities afforded by our State, to insist that the schools set apart for their especial use shall be properly graded and taught by competent teachers; to use well the advantages conceded and strive for more.

*Resolved*, That the Convention return thanks to the officers of the Convention for the impartial performance of their several duties.

*Resolved*, That the Convention return thanks to the City authorities of Columbus for granting us the free use of the City Hall.

*Resolved*, That the next State Convention be held in the city of Cincinnati, at a time designated by the State Central Committee.

Mr. John I. Gaines presented the following resolutions, which were unanimously adopted:

*Resolved*, That we have heard with deep sorrow of the demise, since our last annual meeting, of L. D. Taylor, Esq., of Columbus, Ohio, who has been in public life among us for many years, and a member of nearly every State Convention.

*Resolved*, That in the death of L. D. Taylor society has lost one of its best men, the colored people one of their most active and energetic members, and the poor slave a real friend.

*Resolved*, That a copy of the above resolutions be furnished by the Secretary to his bereaved family, and the same entered on the minutes of the Convention.

Pending the consideration of these resolutions, Messrs. C. H. Langston, D. Jenkins and James E. Evans in short speeches bore

testimony to the high moral character and great usefulness of Mr. L. D. Taylor.

On motion of Mr. D. Jenkins, it was resolved that Mr. C. H. Langston be requested to furnish his remarks for publication with the proceedings of the Convention.

Mr. Langston spoke in substance as follows:

MR. PRESIDENT, LADIES AND GENTLEMEN:—I arise in obedience to a call of this Convention, to perform the solemn and melancholy duty of saying a few words on the life, labors and death of our departed brother and fellow laborer, Lorenzo Dow Taylor.

Although it is a painful task for us to dwell upon the death of the great and good, and to contemplate the loss which the world has sustained in their death, yet we may with profit, pleasure and delight meditate upon their goodness, their virtue and their benevolence, and hold up to ourselves those sublime characteristics as a burning light to lighten our pathway to usefulness and renown. For

“Lives of great men all remind us  
We can make our lives sublime,  
And departing leave behind us  
Foot prints on the sand of time;  
Foot-prints that perhaps another  
Sailing o’er life’s solemn main,  
A forlorn and shipwrecked brother,  
Seeing, shall take heart again.”

Mr. Taylor was born in the western part of the State of Virginia, about the year 1815, and was therefore at the time of his death (April 25th, 1856,) about forty-one years of age. Of his early history I can say but little, for it is concealed in that black and impenetrable obscurity in which Slavery always seeks to envelope itself and its victims. Notwithstanding the same commonwealth which gave birth to the honored champions of human liberty, Washington, Henry and Jefferson, gave birth to Mr. Taylor, yet the latter was born a *Slave*. Although Henry had shouted, “Give me *liberty* or give me death,” and Jefferson had declared that “all men are created *free and equal*,” and Washington had led the hosts of *Liberty* from conquering unto conqueror, still in their native State, the galling fetters of the bleeding bondman were not broken, and the Old Dominion still produces its thousands of infant Slaves. Mr. Taylor, in his youth, was, of course, surround-



ed by all the blighting influences which crowd upon the fiendish institution of Slavery. His native State is remarkable for its pretended love of liberty, and its real love of despotism. It is renowned for its slaveholding, its slave-breeding and its slave-trading. It is famed for its ignorance and its odious laws, which forbid, under heavy penalties, the teaching of colored children to read their own names, the name of the God who made them, or of the sun which gives them light.

Under these degrading circumstances, and these odious and damning laws did our demised friend begin life, and in this deplorable and wretched condition spent many of his early years.—By some unforeseen but kind providence he was emancipated from this state of thralldom—the relation of master and Slave being abrogated—and he joyfully removed with his parents to the free State of Ohio. He here commenced the cultivation of his mind, and having left the dominion of human Slavery, he had fondly hoped to enter the schools of learning unrestrained, and thereby prepare himself for future usefulness. But, alas! he was doomed to the saddest disappointment. In this free and otherwise liberal State he encountered a bulwark of prejudice more formidable than Alpine steeps—those mighty barriers which the hand of nature has lifted up as a limit to human ambition. This colossal mountain of negro hate, “rearing its lofty head to Heaven,” bade defiance to every attempt to ascend its rugged cliffs. This pro-slavery spirit closed the doors of schools, colleges and seminaries, not only against Mr. Taylor, but against every colored man, woman and child in the State. This accursed prejudice became embodied in a code of enactments known as the “Black Laws of Ohio.” At the very threshold of the State Mr. Taylor was met by this heathenising code, and denied a legal residence in the State, as well as every other immunity enjoyed by its citizens. By these laws, the public schools withheld from him their invaluable blessings. This adamant wall of prejudice and negro hate propped and supported by statutory and constitutional enactments required an almost superhuman energy and perseverance in a colored man to scale its summit, triumph over its power and influence, and rise to moral and intellectual eminence. L. D. Taylor did possess this energy and perseverance. He did triumph over these almost insurmountable obstacles, and rose to a high eminence of morality and intelligence.

As a father, Mr. Taylor was kind and indulgent, yet never for-

getting the admonitions of Scripture, "Train up a child in the way he should go, and when he is old he will not depart from it." As a husband, his distinguishing characteristics were love and devotion. Being ever under the influence of these God-like traits of character, he made every sacrifice to render his family comfortable and happy, always remembering that "he who neglects to provide for those of his own household is worse than an infidel." As a citizen, his life and conduct were the purest exemplification of the deep and abiding faith which he possessed in that glorious and divine truth which says, "Righteousness exalteth a nation, but sin is a reproach to any people." As a scholar, he very far surpassed thousands whose opportunities for mental culture were much superior to his own. While he did not so much excel in the knowledge of letters, he seems to have fully appreciated the wise man's advice when he says, "Wisdom is the principle thing; therefore get wisdom, and with all thy getting get understanding." As a philanthropist and reformer, Mr. Taylor had those invaluable elements of character without which no reformatory enterprise can be pushed to a successful and speedy termination; namely, a fixed and unyielding determination, a "dauntless spirit," and an active and self-sacrificing energy. To convince him that any reform was in accordance with the immutable principles of rectitude, at once enlisted him in its support and advocacy, and when once engaged in any cause, his self-consistency, his inflexible will and his indefatigable exertions made him a mighty champion in its support. For twenty years Mr. Taylor was not only an active and untiring advocate of the cause of temperance, but a consistent temperance man having never been known to taste one drop of ardent spirits during that time. He was a barber, and as such was expected, in accordance with a prevalent as well as a profitable custom, to follow his ordinary avocation on the Sabbath day. But so determined was he in his course of moral duty, that neither the prevalence nor the profit of the custom had any effect upon him. Although he did not belong to any religious organization, yet while men of high standing in the church were desecrating the Sabbath by pursuing their secular business on that day, Mr. Taylor might be seen surrounded by his family making his way to the church. In the anti-slavery reform he was always zealous and active, ever remembering "those in bonds as being bound with them." The bleeding fugitive escaping from republican despotism to monarchical liberty,

found in him a sincere and devoted friend and a ready and efficient helper.

The labors of Mr. Taylor, in the cause in which we are now engaged, must not be overlooked or forgotten. The moral, intellectual and political elevation of the colored people, was a cause ever dear to his heart. He labored constantly and earnestly for its promotion.

This, I believe, is the first State Convention of colored men ever held in Ohio without his presence. He has always been with us in these efforts for self-elevation, and we have always been proud to honor him as one of our greatest benefactors. But he is gone. His warning voice will no more be heard in our assemblies, and while we are forced to grieve over the loss which his family, the cause of the slave and our own cause has sustained in the death of this great and good man, we are happy to know that he has so LIVED and so acted as not only to hand his name down to posterity with undying honor and unsullied fame, but has been admitted to that celestial habitation above, where he shall spend a glorious eternity in the immediate presence and favor of the great architect of the universe. Then while we are meditating upon his death, let us determine to imitate his life, and so be a blessing to the world, and an honor to our creator.

## ADDRESS TO THE PEOPLE OF OHIO.

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CITIZENS OF OHIO:—We address you in the name of the colored people in the State, (many of whom are natives) who have been deprived of their natural, civil and political rights, and all for no crime which is contrary to the spirit of the Constitution and your own Bill of Rights. "Hear us," citizens, "for our cause," while we present you facts in relation to the manner in which we have been oppressed, which ought to make your cheeks tingle with shame, especially when you remember it is done in the face of our Bibles, Missionary Societies and under the nose of the church. You say we are ignorant. If we are ignorant, you are the cause; if we are less educated and intelligent than you, the crime lies at your door. But we deny that we are more dishonest and more improvident than other classes of citizens, and those who assert to the contrary, the *onus probandi*, that is, the burden of proof, rests with them, and not with us.

In 1802, the old Constitution was adopted in convention, and here was the beginning of the enactments against the people of color, for prior to that day they voted, could hold office, and exercise the full right of franchise under the laws of the Territorial Legislature.

"In all elections," says that instrument, "all white male inhabitants above the age of twenty-one years, having resided in the State one year next preceding the election, and who have paid, or are charged with, a State or County tax, shall enjoy the right of an elector."

This clause, on first trial, was negatived by 19 to 15, but on reconsideration it was a tie, and the casting vote given in its favor by Edward Tiffin, Esq., who was the presiding officer. Thus our vote was taken from us by the inconsiderate will of one man.—We trust he is in Heaven, but it is exceedingly questionable to say the most.

Now these gentlemen tacitly admit that there was a class of black inhabitants in the State above the age of twenty-one years, who had paid, or were charged with, a State or County tax, and therefore were entitled to vote, but they purposely kept them from it because they had the power. It reminds us of a circumstance

which took place in a Southern city only a few weeks ago. A colored man was on trial for stealing, in the County Circuit Court of St. Louis, and the main witness against him was a white boy. Defendant's counsel asked him: "Boy, do you know the nature of an oath?" The witness replied: "Yes sir; to swear *agin the nigger!*"

So the gentlemen who framed the Constitution thought they were discharging their duty and filling the end and purpose of civil government by making a rule *agin the niggers*. That anti-negro clause has been transferred almost verbatim to the new Constitution, adopted March 10th, 1851, at Cincinnati. And for the sake of an enlightened civilization we would it were not there. Now, in Convention, where the latter passed and became the supreme law of the State, were 95 members, and among the number were the flowers of the Democratic and the old Whig parties, but only seven were found who were willing to restore the rights of an elector to colored men. The New Constitution substitutes the words or phrase, "every white male citizen of the United States," for white male inhabitants, and with this exception it is substantially the same. Now the Constitution of the United States recognizes but two classes of citizens, to-wit: Native and adopted.

Article 2d, section 51st, says: "No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President, &c." Now, ninety-nine out of every hundred colored men now living in the United States were born in it. Hence the Convention of '51 is guilty of deliberately, *we will not say maliciously*, of depriving us of our birth-right, or a right which we acquired by being born on the soil, and the only right which gives a chance to the oft repeated declaration, "I am an American citizen." But we insist that the State has no right to tax us and yet deny us representation, for taxation and representation go together, as man and wife, and you can no more separate them in point of fact, and according to the genius of our institutions, than you can annihilate matter, or obstruct the course of the Sun.

"My position," said Lord Chatham, in the British House of Parliament, "is this: I repeat it; I will maintain it to my last hour, taxation and representation are inseperable. This position is founded on the laws of nature; it is more—it is of itself an eternal law of nature; for whatever is a man's own is absolutely his own; no man has a right to take it from him without his con-

sent. Whoever attempts to do it, attempts an injury; whoever does it commits a robbery."

Patrick Henry, in the House of Burgesses in Virginia, declared, *in substance*, that the King, in giving his assent to the Colonies being taxed, had played the part of a tyrant, and reminded him that he might meet the fate of Charles the First. Indeed, citizens, the Revolution of '76 turned upon the single point that Great Britain had no right to bind her Colonies, to tax them and then deny them a voice in Parliament. The colonists were right, the people who sympathized with them were right, and every drop of blood shed was shed in a holy cause. It is then good American doctrine, and no one has a right to gainsay it.

You have no right, therefore, to deprive us of the elective franchise; he who does it, does a wrong; he who aids in doing it, or in retaining the anti-democratic feature in the Constitution, aids in retaining an abominable tyranny. But, fellow citizens, the word white works evil in other respects. No colored man (*as such*) can be a Governor, a Secretary of State, a Judge, a Lawyer, a Clerk, a Commissioner, Notary Public, a Magistrate, a Constable, or even a *nigger catcher*. He can fill no *political office* of trust or honor, or profit, under the Constitution. We read of a printer-boy who has risen to be an influential editor and a leader of the Democratic Party in the United States. We read of a shoemaker, a mere driver of pegs in a boot, who is the legitimate successor of Daniel Webster in the Senate of the United States, and the champion of Free Soil, Free Speech and Free Men. We read of the wagon boy of Ohio, who won golden opinions as an orator, worked his way into the Executive Chair of State, and then into the Cabinet of Ex-President Fillmore, and is now a distinguished member of the Cincinnati bar. But no place of distinction is held out to the black man—no path of glory opened to his vision; he may thrive if he can; is at liberty to die, but is nowhere encouraged, fostered or protected. Is it just, is it politic, is it wise?

Fellow citizens, the word white prevents colored men from being enrolled in the militia. Article 9th, section 1st, holds the following language:

"All white male citizens, residents of the State, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty," &c. There it is in black and white; what think you of it, fellow citizens? No

government on earth, save Democratic America, has a rule so despotic. In England, colored men are among her best soldiers; in France they are in the army and navy; in Russia they are in the camp and the field; in Turkey they form a part of her corps; in Brazil they are officers of the regular army, and of the corporation guards and militia.

Mr. S. S. Steward, of the United States Navy, saw in the latter country: "A squadron of dragoons, in a scarlet uniform, had just been placed in line on one side of the square; a mounted band, in huzzar dress, of the same color, was in attendance. I took a station for a moment near this. It was composed of sixteen performers; and in the number included every shade of complexion, from the blackest ebony of Africa, through demi, quarter, and demi-quarter blood, to the purely swarthy Portuguese and Brazilian, and the clear red and white of the Saxon, with blue eyes and flaxen hair." The gallant Commodore thought that it was a very disgusting sight for an American, and doubtless it was, for we have no doubt he went into hysterics or had the rheumatism every hour. A time may come when the services of black soldiers will be needed, and when a general Jackson will call his black brethren to arms, as did the old hero in 1814, at the Battle of New Orleans, and we will not be found in the rear, but if there is any fighting to do, in the front of the battle. And yet men of such grit cannot comprise a part of the militia of Ohio. Shame! Fellow Citizens, we invite your attention for a moment to the statutes which have been passed, infringing on our rights.

On the 5th of January, 1805, a law was passed regulating the condition of a legal residence of blacks and mulattoes. Who its author was, or where he lived, we are not advised; for if we were we would communicate the information for the benefit of the reading public; but one thing we do know, the bill was characterized by great barbarity. Here are a few specimens:

"Blacks or mullattoes shall first produce a fair certificate from some court within the United States, of his or her actual freedom." Failing to have or produce such certificate, any person who gave such an individual work was subject to a penalty of "not less than ten nor more than fifty dollars."

The 4th section says that if any resident shall harbor, secrete or feed "any black or mullatto person, the property of any person whatever, or in anywise hinder or prevent the lawful owner or owners from retaking and possessing his or her black or mullatto

servant or servants, shall, on conviction thereof, be fined not less than fifty nor more than one hundred dollars."

So the General Assembly, by this act, constituted the people of Ohio an organized band of kidnappers. In 1807 this law was amended, and a black or mulatto person required, before he or she could obtain a legal residence in the State, to give bond and security in the sum of five hundred dollars for their good behavior; and they were also prevented in the same act from testifying in any case where a white person was a party concerned.

Now any jail bird, of a white skin or Saxon origin, could insult with impunity a colored lady, and if brought into Court to answer, all the prosecuting attorney would have to do would be to enter a *nolle prosequi*, and the case would be dismissed. We might give you many reminiscences of the workings of the testimony law, but we forbear; one instance will suffice for the present:

In the summer of 1846-7, a colored man killed another in a melee at Cincinnati. The murderer was a quadroon, and the murdered man a pure black of the deepest African dye. The case came up for hearing in the Criminal Court of Hamilton County, and the witnesses were black and mulatto persons. The counsel for the defense objected to negro testimony against the prisoner, which was sustained, and the culprit went unwhipped of justice. George E. Pugh—now Senator Pugh—was a counselor in the case, and he planted himself from that hour against the law, and was a member of the Assembly when it was repealed, and voted for it. These laws were in force forty-two years, (1807 to 1849,) when they were repealed by a mixed Legislature of Whigs, Democrats and Free Soilers.

In 1831-2, acts were created for the relief the poor in the several Counties of the State, and we confess that we cannot see how those laws and the amendatory acts passed since, strictly construed could or can deprive a lawful resident of the benefit of the Poor Fund; but, by some strange interpretation, colored persons have been and are excluded. We know something of the effects of this law, for some of us happened once to be on a committee to get certain persons of color in the Poor House of Hamilton County. We were debarred at every office door, and told by the gentlemen who held the keys that the law would not allow them to admit niggers, and that they would not do it. We turned away from them more in sorrow than in anger; for we felt there was need of a mission at



*Cincinnati.* Colored persons are excluded from all the public institutions of the State for the benefit of the insane, blind, deaf and dumb, and until recently they were not permitted to enter on a visit. We beg pardon, for there is one institution wherein we are admitted, but not on terms of equality—we mean the Penitentiary. No colored man can be a jurymen. It is a principle of common law that a person charged with crime is entitled to a fair hearing by a jury of his peers. How can a colored person get such a hearing. Jurymen generally have no association with him—no sympathy in common with him—and have been taught from infancy to hate and despise him. Doubtless if the poor slaves who have been slaughtered, quartered, their heads put on posts as a terror to their brethren in chains, *for a mere suspicion to rebel or revolt against unlawful authority*, could have been tried by a jury of their peers, not one out of the many would have suffered.

Hence, fellow citizens, we ask you to strike or cause to be stricken from the Constitution the word white wherever it occurs, and it occurs twice. We ask you to repeal the remnant of the *old black laws*, and in this we are certainly not asking too much. Justice, equity, humanity and the highest interest of the State, demand their immediate, instant and unconditional repeal. We ask it not as a favor, but as a right; for if you have a right to tax us for the benefit of the State, and this we do not deny, we have a right to demand of you protection, and if you deny us our plea, we say to you, "lie upon your law."

We ask it, in conclusion, because we are *men*—children of the same common parent—heirs of the same destiny—and like yourselves, our sweat has mingled with the soil and our means have been contributed freely to the development of the resources of our beloved State; and, therefore, whatever concerns her greatness, glory and expansion, concerns us.

Respectfully submitted in behalf of the Convention,

JOHN I. GAINES.

## ADDRESS.

*To the Legislature of Ohio :*

In addressing you, as the law-makers of the State, we do not seek to be elaborate and elegant so much as to be simple and perspicuous. We seek to state the story of our wrongs in plain unvarnished phrase.

According to the 1st Section of Article 5th of the State Constitution, "Every *white male* citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county, township or ward in which he resides, such time as may be provided by law, shall have the qualifications of an elector, and shall be entitled to vote at all elections."

According to the 1st Section of the 9th Article of the same instrument, "*All white male* citizens, residents of this State, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia and perform military duty in such manner, not incompatible with the Constitution of the United States, as may be prescribed by law."

According to the 3rd Section of the 62nd Chapter of the Revised Statutes of the State, "The Trustees of each township shall, on the second Tuesday of October next, (passed Feb. 9th, 1831,) and on the second Tuesday of October annually thereafter, select of good, judicious persons, having the *qualification of electors*, their apportionment of persons to be retained as jurors."

According to the 6th Section of the 86th Chapter of the Revised Statutes, it is also provided "That nothing in this act shall be so construed as to enable any *black* or *mulatto* person to gain a legal settlement in this State; provided, that nothing in this section shall be so construed as to prevent the directors of any county or city infirmary, in *their discretion*, from admitting any *black* or *mulatto* person into said infirmary." Passed March 1st, 1853. It is further provided by our State Statutes that no person shall gain admission to our Lunatic Asylums or benevolent institutions, who is not a "resident," that is, who has not gained "legal settlement" in the State. It will be perceived from these passages of the Constitution and Statutes, which we have quoted, that black and mulatto persons are not allowed, like other inhabitants of the

State, to enjoy the privileges and advantages of the Poor House, the Lunatic Asylums, and the comfortable and convenient homes provided by the State for the deaf and dumb and the blind. Nor are they allowed to act as jurors—to enjoy that inestimable right which every intelligent person holds in the highest consideration, namely, the privilege of being *tried by one's peers*. Nor can they become a part and parcel of the military strength of the State. They may be ever so patriotic—they may be ever so desirous to make an exhibition of their physical prowess in behalf of their State, when emergency demands, yet their patriotism is to be stained and their manly desires to be smothered and extinguished by legal imposition. They are also denied the right of suffrage—a right as inherent and inalienable as any other natural and inalienable right. Such is our condition in Ohio. And it is to it that we ask your patient and candid attention, while we state the reasons upon which we demand the removal of these legal disabilities. It is in fact, however, but *one* disability. For let the word “white” be stricken from the Constitution, and black and mulatto persons come at once into the enjoyment of a full and complete legal equality; then the last vestige of the old barbarous and inhuman Black Laws will have been wiped out, and a new order of things instituted, whose peculiar and distinguished characteristics will be a democratic and Christian regard for the rights of all mankind, whatever their condition or complexion.—What are the reasons, then, which we have to offer in favor of the erasure of the word “white” from the State Constitution? The Declaration of Independence, and the American definition of human freedom, declares that *all* men are created equal—that is, that all are equally endowed with natural and inherent rights. These rights are not *created by Constitutions*, nor are they *uncreated by Constitutions*. Their existence is not dependent upon the curl of a man's hair, the projection of his lips, the color of his skin, or the clime in which he had his birth. They are a constituent element of manhood—whether that manhood be found encased in ebony or ivory. And it is the natural and peculiar function of government not to destroy these rights, but to guard and defend them. When government fails to perform this function, its acts become unjust, anti-democratic and cruel. And then it becomes the duty of the law-making power of the State to alter and amend the laws in such a manner as to secure equal and exact justice to every inhabitant. In the name of the man-

hood of the black and mulatto person, then,—in the name of his inherent rights, which are inseparable from that manhood—and in the name of the true function of government, we ask the amendment of the Constitution.

In this first consideration, it will be perceived that we have assumed the manhood of black and mulatto persons. This we have done, because, at this late day, after so much has been done by the colored people of the State and Nation to educate, refine and elevate ourselves, so that we may be useful in our day and generation, to ourselves and mankind, we suppose that no one of moderate intelligence would question our humanity and manhood.—But if there are persons who still question our mental and moral capacities, and, therefore, our membership of the human family, we need only call the attention of such to the fact, that we have among us persons who are distinguished for their enterprise and attainments as doctors of medicine, those who are skillful and successful as attorneys and counsellors at law, and still another class whose industry and learning, whose devotedness and piety make them acceptable and influential as ministers of the Gospel. Indeed, not many years ago, a German University of Heidelberg, did itself and the colored people of the United States the honor to confer upon one of our number, in consideration of his scholarship and Christian bearing, the doctorate of divinity. Nor is this all that can be said in this direction. We have among us poets; orators and authors whose genius, eloquence and learning place them among the *savans* of this country. When we read the poetry of Whittier, all aglow with the radiance of divine inspiration—the historical pages of Bryant, enlivened and beautified by a rich dramatic style—the speeches of Webster, whose manly sentiments and beautiful expression render them acceptable and captivating, let us not forget the effusions of Whitfield, the historical productions of Nell, and the burning and masterly eloquence of Douglass. Nor are we without mathematical and mechanical ingenuity. There are colored men who have done themselves great credit and the State great service by their mathematical and mechanical genius. These achievements of a mathematical and mechanical, a literary and scientific sort, to which allusion has been made, are but the results of primitive, original fundamental faculties which belong to our nature, and which establish beyond decent cavil our unity and identity with the human family. Indeed, there is no argument in favor of the unity of

the human race so strong and impregnable as this one from a psychological stand-point. Under existing circumstances we make no apology for this episode in favor of our manhood.

The second consideration which we have to offer in favor of the amendment of the State Constitution, is the fact that caste legislation—legislation founded upon accidental or complexional differences—is contrary to the drift and meaning of the United States Constitution. We find no word white in that instrument. It regards every man *as a man*, whether his skin be white or black, and as the possessor of rights which civil society ought to respect and protect. Indeed, it is stated in the preamble that it was ordained and established to “secure the blessings of liberty to ourselves and our posterity.” And, among the miscellaneous provisions, the second section reads: “The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.” In spite of this clause in the United States Constitution, however, the colored sojourner who comes into our State from Massachusetts, although he is a full-grown citizen of that State, is compelled to suffer in consequence of the odious complexional discrimination found in our State Constitution. It is not only contrary to the philosophy of the declaration and the drift and meaning of the United States Constitution to make such distinctions, but it is contrary to the ancient and well-established policy of the fathers of the Republic. So that Judge Phelimon Bliss is right when he says: “There is nothing in the principles of our government, or in its traditions, that will justify for a moment the denial of the elective franchise on account of color. The Declaration of Independence nor the Constitution of the United States, make no such distinctions, but avow principles and objects entirely inconsistent with them. The original revolutionary constitutions of nearly all the States, made colored persons electors, and it was not till a race arose that knew not Joseph, a race that has changed the whole policy of the Government from an enfranchising to an enslavery, from a propagandism of free labor to a propagandism of slavery, that the old States began to disfranchise on account of color or descent.” He continues: “As I can see no sound reason, no justice or propriety in the new policy, neither can I see any benefit resulting from it. I therefore prefer the policy of the Fathers.” More than this, all such legislation is contrary to the fundamental principles of morality and natural justice, and ac-

cording to every tenet of legal hermenutics, is null and void, and the courts ought to so construe them.

But in addition to the considerations which have already been advanced in favor of our enfranchisement, there are others of a little different character, to which we would call your attention.—The first of these is the fact that we are native-born inhabitants, and therefore, citizens. This is no new-fangled doctrine of our making, nor is it the teaching of a hair-brained fanatic. This is a well established principle of the law of Nature. It is a principle fully recognized and endorsed by all standard writers on law. Indeed, Chancellor Kent endorses this doctrine most fully when he says, "Citizens, under our Constitution and laws, mean free inhabitants, born within the United States or naturalized under the laws of Congress. If a slave, born *in* the United States, be manumitted, or otherwise legally discharged from bondage, or, if a black man be born within the United States, and born free, he becomes thenceforward a citizen." And it is an element of the creed of every political party and politician in America, that nativity gives citizenship. Why then deny us, who are native-born inhabitants, the elective franchise?

In the next place, we are *tax-payers*. We willingly do what we can towards bearing the burthens and the expenses of the Government. We aid in building Poor Houses, Lunatic Asylums, edifices for the accommodation of the deaf and dumb and the blind; and we are not without a *property interest* in the beautiful and magnificent State House, the simplicity of whose construction, whose durability of material, and whose massive proportions are the admiration and pride of us all. And we make very great account of this consideration of our paying taxes; for it is a principle that is held in the highest estimation by every American who respects and reverences the teachings of the Fathers of the Republic. They declared that *taxation and representation are inseperable*. And to the support and maintenance of this doctrine they pledged their lives, their property and their sacred honors.—Though weak in numbers, in commercial and financial resources, and without the prestige of a great national representation and the strong alliances of friendly powers, they came through an eight years contest, hard and bloody, with victory, glorious victory, perched upon every banner! All honor to their names! They fought in defence of a catholic and a world-wide principle, that has application to every human being, whether born in Europe,

Asia, Africa or America. The Fathers of this country were right; then, when they enunciated the doctrine that, when a man pays taxes, he is, by law, by right and by justice entitled to representation—and ought to have the privilege of saying what shall be the legislation respecting taxation. Nor must any one suppose that our tax is of insignificant account, for be it known to every one that the colored men of Ohio are worth to-day over *seven millions of dollars worth of property*! In the city of Cincinnati they are owners of nearly a million of dollars in personal property and real estate, and in Columbus they pay tax upon about three hundred thousand dollars, and in Cleveland upon four hundred thousand. In many of the farming districts of the State, also, such as those in Jackson, Pike and Highland Counties, the colored men are owners of large farms, which, in many instances, are well stocked and cultivated according the most approved methods of modern agriculture. Reference might be made to other portions of the State in which colored men are in comfortable and prospering circumstances; but there is no need of this. If our tax were but a mere trifle, the principle would be the same. We ask, then, that you endorse in your legislative decrees the doctrine of the Fathers in regard to this matter. It is hardly necessary for us, in considering this subject, to remind you that our rights in this country date back “to the dread arbitrament of war.” Every one well read in the History of the Revolutionary War and the War of 1812, knows the part colored men played in those contests. He knows that they stood cheek by jowl with the white men of the country in every battle. He knows that the granite shaft of Bunker Hill was erected to commemorate the valor, the courage and the heroic devotion of the colored soldiers as well as the white. Like white men colored men in this country, with truthfulness and pride can boast.

“For God’s inalienable rights to man  
Our Fathers fought and bled;  
So glorious were the rights secured,  
The sons revere the dead.”

We have always shown ourselves patriotic and loyal subjects.— And in the name of our patriotism, our loyalty and heroic devotion to the country, we make our demand for complete legal equality.

It is fit, in this connection, that your attention be called to the fact that while this vague and indefinite word “white” remains in

the State Constitution, we are without a *jury trial*. We are not tried, as already stated, by our peers; but we are tried by men whose hearts are full of prejudice against us. Therefore, in nine cases out of ten we are not dealt with impartially in the courts of justice. So strong, indeed, is this prejudice against us, in many localities of the State, that lawyers, in presenting the causes of colored clients, are compelled to beseech the court and the jury not to allow the color of their skins to damage their claims. This is not right. The privilege of being tried by an impartial jury is, and ought to be, held in the highest estimation by every person, for it is one of the strong bulwarks of our rights. We demand the amendment of the Constitution, then, for the consideration that, since we have not the qualifications of electors we cannot act as jurors, and therefore are not tried by our equals, but by those who claim to be our superiors, and who, in almost every case, prejudge our cause.

In the name of the Declaration of Independence, the Constitution of the United States, the ancient policy of the Fathers of the Republic, the well-established doctrine that nativity gives citizenship, that taxation and representation are inseparable, in the name of our patriotism and loyal bearing towards the country in a trying hour, as well as the principle that every person ought to be tried by his peers, we ask the erasure of the word "white" from the State Constitution. What sound reason can be offered against this procedure? It is safe for us to say that there is none. There is nothing in the State Constitution against it. The Bill of rights of the State is altogether on our side. Nor can any one justly claim that we ought not to be made citizens, because of our ignorance and want of mental attainments. Through the influence of our common schools and our religious organizations, our mental condition has been greatly ameliorated within the last fifteen or twenty years. So that, if the objection founded upon our ignorance was ever good for anything, it is now wholly worthless. In our literary qualifications, we compare favorably with other inhabitants of this commonwealth.

Let us assure you, then, in conclusion, that no unjust and oppressive legislation shall ever drive us from this State. We are here, and here we intend to remain. Our position is as fixed and immovable as the pillars of this great State. Your history and your destiny shall be ours. And while cruel and despotic statutes disgrace our State legislation, we will express, in every possible manner, our dissatisfaction and disapproval of them.

JOHN MERCER LANGSTON,  
*Chairman of the Committee  
 in behalf of the Convention.*