

Reasons for opposing Flick Amendment.

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Democrats and White Men of West Virginia!

You are soon to be called to the polls, to decide a question far more important than the election of any officer, whose tenure is but for a few years, and whose acts, however reprehensible they may be, you have always hitherto had it in your power to revoke. The question at issue, stripped of all disguises, is, whether or not you will keep this power in your own hands. Will you submit to any tampering with the right of suffrage on the part of your public servants, or will you decide *how* it shall be exercised and by whom? And if you determine to retain this power, will you share it with the negro? Put the question in this way, and your answer is not uncertain—from peak to peak your native hills would echo and re-echo the thunder of your No! But the enemies of our race and country dare not put it so plainly. They tell you that the word “white” which you are asked to strike out of your Constitution is already a nullity—a meaningless blot on its pages. They tell you that the “issue is dead,” that negro suffrage is “a fixed fact,” hoping to conceal from you the great importance of your action in the matter, and to persuade you that it is a mere formality, while the truth is, that by voting for this measure, you assume the whole responsibility of negro suffrage, and do actually “fix” the “fact” forever within your State, irrespective of all past legislation, State or Federal. No wrong is

a “fixed fact” so long as a free people determine to remain free. Had your ancestors, who achieved for you the priceless heritage of a free government, reasoned as do the advocates of this amendment, you would still be the oppressed subjects of kingly power. Do you love liberty less than they? Are you prepared to surrender this dearly bought right of self-government at the first assault of its enemies? Will you let them lead you, blindfold and submissive, to your own and your country’s ruin? Open your eyes, we beseech you, before it be too late! If the spirit of your fathers still survives, if the pride of race be not dead, we implore you to pause and reflect before you take the final step!

You are now asked to endorse the “Flick Amendment,” which is the immediate offspring of that most daring and shameless violation of the Federal Constitution, the so-called “Fifteenth Amendment.” The Congress which proposed, and the Legislature which presumed to ratify this measure, are guilty of the most flagrant usurpation, and the people who will tamely submit to it must already be ripe for slavery.

A written constitution constitutes the principal difference between a free and a despotic government. It is the supreme law of the land, binding upon people and legislators alike. Enactments not made in conformity to it are not laws. If the people infringe this fundamental law,

they open the gates to anarchy ; if they permit their legislators to infringe it, they invite and welcome tyranny. It is the wall of defense against the selfish ambition of the few, on the one hand, and the unbridled passions of the multitude and the hour on the other. The importance, then, of most jealously guarding against every breach of it cannot be exaggerated.

By the Federal Constitution, the people of the several States delegated part of their inherent and sovereign rights to a government which they thereby instituted, expressively reserving to themselves, in the following carefully chosen words, ALL POWERS NOT SO DELEGATED : "All powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to THE STATES RESPECTIVELY OR TO THE PEOPLE." The highest of all rights to a free people is that of suffrage, with all that pertains to it. It lies at the foundation of all. Resign it, or allow any violation of it, and the Republic falls at once. From beginning to end the Federal Constitution contains no word allowing Congress any power whatever to regulate or control the right of suffrage in the States. It is not only one, but the first and greatest of those rights, which, never having been parted with, still remains exclusively with the people of the States.

It is true, the Constitution provides that amendments may be made to it, and prescribes the manner in which Congress may propose and the States ratify them. But by such amendments as may become part of the Constitution upon their ratification by three-fourths of the States, are not meant such radical changes in the form of government as would take reserved rights from the people of the States. The powers delegated are not

grants from the Federal Government to the people, but from the people of the several States to the Government ; consequently, all further assumption of power by the Government, in any way, is an usurpation to which the people must never submit, and by which they can never be bound, *except by their own consent*. All powers not delegated to the Federal Government, nor prohibited to the States or the people thereof, remain with the people of the several States, and are *inviolable*. Each State remains absolute master of all its *reserved* powers. The right of deciding who shall and who shall not vote is one which *no Congress*, however perfectly organized—however complete, can claim, unless the people of *each State*, either directly at the polls or by a convention invested with power to declare their will, expressly delegate such *new power*. Let them give even a tacit consent to so bold and unwarranted an assumption of authority as this so-called Fifteenth Amendment, and where will you place the limit to the encroachments of the central government ? The power that gives can take away. If the Federal Government has a right to interfere at all in this matter—if it can say who shall vote—it can also say who *shall not*. There needs but another step to change our institutions and give us a king. The article which provides for amendments closes with these words : "Provided, that no State, without its consent, shall be deprived of its equal suffrage in the Senate." How then could this power of proposing amendments be claimed by that miserable fragment of a Congress which excluded the representatives of ten sovereign States, and presumed to govern them while denying them a voice in the National Legislature ? The very grievance which, more than all others,

was the cause of that revolution to which we owe our national existence.

All that has been said of the fraudulent and unconstitutional character of the "15th Amendment" in its passage by Congress is equally true of its pretended ratification by the States. You, *the people* of West Virginia, have never given your assent to that act of revolution. Your legislature was not authorized by you to do so. You alone have the right to say who shall vote within your State. If *you* should declare, as you now do in your Constitution, that none but *white* male citizens shall vote within your borders, no power on earth has the constitutional right to gainsay it. Your *legislature* can do nothing of the kind. Its so-called ratification of the "15th Amendment" is unconstitutional and void. It and NOT the word "WHITE" is a nullity. If every state legislature but one, should assume to ratify such a measure, all together could not control the one State refusing to ratify. Such action strips the dissenting State of one of its reserved rights and establishes a precedent, by which a minority of the State is entirely at the mercy of three-fourths, should the majority desire a complete change in the form of government. It also nullifies that clause in the constitution which declares that all powers not delegated are reserved, and opens wide the door to misconstruction and the most dangerous abuse of power by the Federal government

But for what purpose has all this outrage been pertuated upon the States? What is the excuse for trampling the Constitution and the rights of the States in the dust? Was it to procure some extraordinary benefit which could be obtained only at such an immense sacrifice? Or was it to relieve us from some great and imminent danger? No, it was

to bind the white race and loose the negro, to place an ignorant and half-civilized people in the position of co-rulers with you. Can you submit quietly to such an insult? Will you by voting for the Flick amendment, seal with your own hands your own dishonor? If by endorsing at the polls the Flick amendment you strike out the word "white," you are fully committed by *your own voluntary action to negro suffrage* and revolution in its worst forms, and your mutilated Constitution stands a monument of your folly and degradation, no matter what may be done hereafter by either Congress or legislature, to retrace their steps. Your action in this matter is no mere *form*. Those who urge upon you the adoption of this measure ask you to repudiate the principles "emblazoned on the banner under which our common splendid victory has been won." Teach such men by your votes that that banner has lost nothing in the affections of true Democrats, when it is now seen floating triumphant in victory, least tattered where it was borne boldest and held highest in the conflict. Tell them that "victory is the signal not for retreat, but for renewed onsets, each more vigorous than the last, until the forces of usurpation shall be driven from their last refuge. Under the inspiration of success true men become as bold as they are true."

But a *democratic* (?) legislature has become wet-nurse to this Radical bastard! A few self styled leaders of Democracy, have betrayed the men whose votes raised them to power by surrendering in the very hour of victory the principles in defense of which the battle was fought. No sooner was our triumphant flag intrusted to their hands than they trailed it in the dust. What these men mean by calling them-

elves democrats would puzzle them or any one else to say. If their idea of democracy be consistent with negro equality and Federal usurpation, they had much better go over openly and at once to the enemy's camp, for there and there alone, are these things to be found. The banner of democracy is still unstained by them. It still bears upon its folds the glorious mottoes of free government, of *white* government, of the rights of the people of the States, and of resistance to tyrants and usurpers. Emblazoned with such principles the *true* men of the State and of the land will bear it again and again to the rescue of the nation from the hands of its internal foes. Show these men that such treason as theirs shall not go unpunished. Repudi-

ate their leadership. Let them see that your principles are not to be sold and that our late victory meant freedom over wrong and oppression, and not *their* elevation to office.

If there be a republican who cares nothing for the Republic, let him vote for the Flick amendment. If there be a democrat who is tired of self government and longs for, an ebony master let him vote to strike out the word *WHITE*. If there be a disfranchised citizen mean enough to covet power at the expense of his country's freedom and anxious to crawl to the polls in the protecting shadow of the, negro let *him* lend his influence to the support of this infamous measure. *But let true men everywhere vote it down.*