

The Wilkesboro *Chronicle*
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“The Constitutional Amendment: the Brilliant Congressman of the Fifth District Writes Concerning It”

By William W. Kitchin

Mr. Editor: Recalling your request, I offer some views on the proposed suffrage amendment to our Constitution. Its main sections are:

[Sec. 4] Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and, before he shall be entitled to vote [sic] he shall have paid, on or before the first day of March of the year in which he proposes to vote, his poll tax as prescribed by law, for the previous year. Poll taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same except against assessed property.

[Sec. 5] No male person who was, on January 1, 1967, or at any time prior thereto, entitled to vote under the laws of any State in the United States, whereid [sic] he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications prescribed in section 4 of this article: Provided, He shall have registered in accordance with the terms of this section prior to December 1, 1908. The General Assembly shall provide for a permanent record of all persons who register under this section on or before November first, one thousand and nine hundred and eight, and all such persons shall be entitled to register and vote in all elections by the people in this State, unless disqualified under section 2 of this article: Provided, Such persons shall have paid their poll tax as required by law.

Its adoption will stimulate education. Wit it peace and safety will prevail in the east as in the west. Many obstructions will be removed from the discussions of national questions. Honest believers in the principles of their national platforms should be willint to leave their fate in this state to those who will vote under it.

Many negroes will not be, but it is estimated that 25000 will be qualified to vote under it. Under it no man who or whose ancestor could vote prior to 1867 will fail to vote on account of not being able to read and write. A few foreign-born white men, unlettered in our language will not be benefited by section 5. Section 5 will benefit a few unlettered negroes who or whose ancestors could vote in this state prior to our constitution of 1835, or in Wisconsin, Massachusetts and other states in 1866.

In my opinion the great majority of populists realizing the importance of national issues, and desiring our campaigns to be more thoroughly on them, will follow wise and patriotic leaders in support of the Amendment regardless of the position of those whose interests may lead them to oppose it. Some Populists have “sworn in their wrath’ never

to vote another Democratic ticket. These will probably ally themselves with the Republican party upon it.

Ordinary Republican politicians must oppose it, for they want to preserve their party strength and besides the unlettered negroes who have often helped them require their opposition, and they wish to retain the influence of the negroes who will continue to vote. But these considerations will not control white Republicans who do not aspire to office. Some of these however will oppose it for the sake of their political friends, some from prejudice against all things Democratic, and some because they really think that ignorant negroes who will be disqualified under it, are as capable in governmental affairs as are the unlettered white men who will vote under it. But many white men in North Carolina homes to-day, hearing the laughter of their little children, and lovingly regardful of their future, while Republicans on other questions are Democrats on this. They will, with the approval of many staunch and able Republican leaders increase the majority by which the amendment will carry and their posterity will cherish their conduct.

For thirty years white Republican leaders have said with us that this was, because of his higher qualifications, a white man's state and that white men should rule it. You can not recall one who announced a contrary proposition. Next August will present the first opportunity that the men of our State have have [sic] had during this generation of showing in a substantial maner [sic] that they believe the duties and responsibilities of suffrage should be limited to those who can read and write and yet not on that account denied to those in whose veins flow the blood of generations of electors, and on whose character is the imprint of centuries of heroic performance in public affairs. I mistake their wisdom tempter and determination if they do not avail themselves of that glorious opportunity.

The conditions which prevailed in some parts of our state prior to the last election and which have always prevailed when the party with which the great mass of ignorance acts, was in complete control, are fresh in our minds. They distracted public attention, excited fear and prejudice, threatened the peace of men and the safety of women, and in the opinion of our wisest men without hostility to the inferior race rendered necessary important changes in our qualifications for voters. These conditions arose from a mass of voters who after thirty years experience were too ignorant to understand the issues, too irresponsible to consider them and too prejudiced to appreciate them. This mass with unwise and selfish leaders endangers good government. The 15th amendment to the United States Constitution says:

“Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.”

When not in conflict with that the State has the sovereign right to say who shall and who shall not vote. It can and does deny suffrage to women, to persons under the age of 21 years, etc. The 14th amendment guaranteeing the privileges and immunities of the citizens of the United States and the equal projection of its laws to every person within the jurisdiction of a State does not and was not intended to affect or confer suffrage. If it did confer suffrage, then women, children and idiots could vote, for they are persons and citizens. The 15th amendment does not destroy the right of a state to prescribe the qualifications for its voters. These qualifications vary in different States. In some States both sexes may vote, in most States only men can vote. Some States require the voter to

own a certain amount of property. All States require residence for a certain length of time. Many require some education, the payment of taxes and registration. The full meaning of the Federal constitution on this subject is, that if a citizen of the United States possesses the qualifications prescribed by a State, then his right to vote shall not be denied or abridged on account of his race, color, etc.

If Pennsylvania in which live thousands of foreign-born white men unable to write English, but which has few negroes, were to adopt our amendment, it is probable that no Republican would declare it unconstitutional. Clearly if constitutional for Pennsylvania, it is constitutional for us. But here they say it is not constitutional, because under it more blacks than whites will be disqualified. But the constitution does not forbid that. If it did, Mississippi could not have the poll tax, education and the understanding clauses of her constitution which has been sustained by the Supreme Court, for they disqualify more negroes than whites, thus effecting their intended result. If it did, we could not disqualify for larceny, for many more negroes than whites become disqualified on that account. If it did, a property qualification which we do not have and do not want, would be unconstitutional, for it would disqualify more negroes than whites. Yet many states have it. The number disqualified of either race does not affect its constitutionality. A State can not disqualify one man of either race on account of color, race or previous condition of servitude, but if the people saw fit, it could disqualify every man of either race for other reasonable cause.

Since many negroes will not be qualified to vote under the proposed amendment, its enemies charge that it is aimed at the negro because of his color. A reading of it discloses no reference to race or color. The Courts in constructing it must presume that those who formulated it and those who adopt it knew what it said, and they are confined to its language in finding its meaning. Yet as its opponents so often discard the plain meaning of its words and charge other reasons for its adoption, we too for the purpose of meeting them at every point, will discuss matters not strictly included in it. They seem to ignore what every one else concedes, that in the essential requisites of the best and safest suffrage one race is, and necessarily so, from its history, environment, nature and condition inferior to another, and that under any reasonable rule intended to separate the fit from the unfit voter, a larger proportion of the inferior race necessarily will be eliminated than of the superior race. No rule will be perfect. No law can be devised that will admit every fit voter and reject none, and reject every unfit voter and admit none. It is submitted that the proposed amendment contains as nearly a perfect rule under present conditions as the wisdom of any legislature is apt to devise. Its extension of suffrage to more whites than negroes is natural and necessary in distinguishing the fit from the unfit voter. A State has the right to adopt any reasonable qualification, rule, line of distinction, or expedient to separate the fit from the unfit voter not violative of the 15th amendment.

A voter should be patriotic, desiring his country's welfare, conscientious, loving right above all things, intelligent, fairly understanding the general principles of government and the ordinary matters presented for his suffrage, and fearless, acting upon his best intelligence. He should vote honestly, without fear, favor or corruption. The ordinary ignorant negro is not prepared for the duties of suffrage.

Political motives, when the best intelligence and patriotism of the South were not heard, endeavored to elevate the former slaves in a day to the high position for which white men had struggled for ages, but even then their right to vote was not insured, but it

was merely prescribed that it should no be denied or abridged on account of three particular things. There are great differences between the qualified and the unqualified voter under our amendment, regardless of these three things, and it is natural that under it as under any reasonable rule more blacks than whites will be disqualified.

The unlettered negro usually knows nothing of and cares not for public questions. He dares not openly vote contrary to the other negroes. In many counties should he on election day announce his intention to vote the Democratic ticket, the others would, except for the presence of white men, drive him from the polls, and afterwards persecute him.

The unlettered white man, on the contrary, has the courage of his conviction. He is intelligent. He is superior to the unlettered negro in information and intellectual grasp. He is a patriot. He fought at King's Mountain, at Alamance and Guilford. He was with Washington at Yorktown, with Jackson at New Orleans, with Lee and Grant at Appomattox. His moral faculty and firmness of purpose exceed the African's. he has exercised governmental rights for hundreds of years.

Seven centuries ago he wrung the great charter from tyrant King John. He made Luther's reformation successful. He shouldered his rifle, builded [sic] his cabin on the frontier, and laid the foundations of our country's greatness. Is he not better qualified to exercise a patriotic, intelligent, incorruptible ballot than an uneducated man whose ancestry and race have never approached the white man in government, in liberty, in progress, in mind? The white man conceived the railroad, steamboat, telegraph, printing press and other inventions that bless. He organized our government, created our educational and developed our religious systems. He has come in contact with the brown man and his superiority has appeared. He has met the yellow man, and the yellow man has given him the way. He has faced the red man and the red man is disappearing from the earth. He has touched the black man in his native African home and the black man yielded to him. Yet when the people of North Carolina, believing in the larger capacity, better intelligence and steadier character of the race most greatly blessed by God, propose to overcome the evils of ignorance and prejudice by this amendment under the operation of which unlettered men with ancient heritage of political duties will be allowed to vote, ordinary Republican politicians say that we shall not do this. It depends upon the intelligence and wisdom of the voters of North Carolina to decide whether our State shall go forward in this great work, or tamely bear the evils endured in the past.

The amendment will stand or fall as a whole. It is submitted to the people as a whole. No man can vote for one section and reject another. Thus the courts must consider it, if it ever reaches them. If it is unconstitutional the whole amendment fails. If a horse has one bad leg he is unsound, though he may have three good ones. So if one section is bad the amendment is unsound and will fail. Its opponents can cite no instance in which an amendment has bee sustained at all while unconstitutional in a material part.

Those who attack section five are generally opposed to the entire amendment. They do not want many negroes disqualified, but if negroes are disqualified to any large extent, then they want many whites also disqualified [sic]. They therefore strive hard to make section 5 appear unconstitutional while declaring that the other sections will stand. The unlettered white man can have no worse enemy than he who labors on the one hand to prevent the disqualification of ignorant and imcompetent [sic] blacks, and on the other hand after the adoption of the amendment endeavors to prevent unlettered white men

from voting by insisting that section 5 is unconstitutional and shall not stand and that the balance of the amendment shall stand, thus demanding at every step that the unlettered whites, notwithstanding their greatly superior natural and acquired qualifications, shall be forever chained to equality with unlettered negroes.

The 4th section contains the main new qualification required. No one questions its constitutionality. Section 5 extends suffrage. Instead of denying or abridging the right to vote, it expressly says the right to vote shall not be denied to certain ones on account of lack of the educational qualification. The people presume, when they adopt the amendment, that these have proper intelligence and fitness for suffrage without education, as I have above indicated. Yet in that section its opponents pretend to find a denial of the right to vote on account of race, color or previous condition of servitude! They admit that after the amendment's adoption many negroes will continue to vote. Not one could vote if the right to vote were denied on account of his face. There will be thousands of living testimonials to contradict their assertion that the right to vote is denied on account of race, color or previous condition of servitude.

An unlettered white man born here 30 years ago of parents who came to our country after the war will not be benefited by section 5. This will be unfortunate, yet no one will say his right to vote is denied on account of his color or race. His lack of education disqualifies him. Can one reason thus: "You require me to read and write before voting, I cannot read and write, therefore you deny my right to vote on account of my color?"

The State can require any reasonable qualification in her voters, such as the educational test. If one negro votes because of his education, not because of his color, then another negro fails to vote for the lack of education, not on account of his color. He must have the educational qualification in Massachusetts to vote. They admit that it is all right there and that the lack of education prevents voting. Here they say under our amendment that it will be the color that prevents the ignorant negro from voting, although he might vote if he had the same educational qualification as required by Massachusetts. Here everyone, without any denial, though he be black as midnight, who has the required qualifications, will be a voter under the amendment.

The State can also extend suffrage in any reasonable manner as is done in section 5 for the next few years. The only restraint upon the State relative to suffrage is that continued in the 15th amendment above quoted. There is a real difference in capacity, in fitness, in intellectual and moral force, in information, in love of home and country, in aspiration, in all that makes competence for good suffrage between the great mass of the unlettered ones who or whose ancestors could vote prior to 1867, and the great mass of those who or whose ancestors could not then vote, and this difference exists without consideration of race, color or previous condition of servitude. It is a deep time-proven, unmistakable difference, known to all men.

While section 5 is an enlarging, not abridging section, even its extension of suffrage to certain ones is not on account of race or color, but, if we are to look beyond its words for its reason, because of the actual fitness for suffrage known to be usually possessed by them. The position taken by the opponents of the amendment puts upon them the maintenance of the proposition that there is no difference in fitness for suffrage between the unlettered white man who will vote under it and the unlettered negro who will not vote under it, and that the only difference between them is race and color. Let

those who choose to do so, contend that the unlettered negro is the unlettered white man's equal, but the Democratic party stands for the white man's superiority. It invites the contest, and confidently appeals to the people. It will gladly meet its opponents at the polls and cheerfully in the courts. The people should not consider it a mere party question nor act upon it from ill feeling. The courts should not consider it a mere political contention nor act upon it with partisan spirit. The end in view is not strife, danger and oppression, but peace, safety and liberty of thought. The equal protection of the laws will continue to bless those who vote and those who do not. The Democracy, with respect for the better and more intelligent ones of the colored race, and a just and patient regard for others who will be admitted to the ballot as they become qualified, will continue its efforts to educate the youth, care for the blind and insane, and to in every way enable the members of that race in this State to work out its destiny in peace and friendship with white men.

The amendment will be maligned and misrepresented by every one whose future depends upon the votes of ignorant negroes, but this child of the Democracy with her face set firmly towards white supremacy, her heart full of faith in honest, fearless, white manhood, with prayers and hopes of good women ringing in her ears, unharmed by malice and falsehood, will succeed, and with her success will come, we trust, a better day for our good commonwealth.

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