

Britain, whatever their color or complexion, were *natio-born British subjects*—those born out of his allegiance were aliens. Slavery did not exist in England, but it did in the British colonies. Slaves were not in legal parlance persons, but property. The moment the incapacity, the disqualification of slavery was removed, they became *persons*, and were then either British subjects, or not British subjects, according as they were or were not born within the allegiance of the British King. Upon the revolution, no other change took place in the laws of North Carolina than was consequent on the transition from a colony dependent on a European King, to a free and sovereign State. Slaves remained slaves, *British subjects in North Carolina became North Carolina freemen*. Foreigners, until made members of the State, remained aliens. *Slaves, manumitted here, became freemen, and therefore, if born within North Carolina, are*—

What? Denizens, residents, inhabitants? No, sir; but—

—are citizens of North Carolina, and all free persons born within the State are born citizens of the State. The Constitution extended the elective franchise to every freeman who had arrived at the age of twenty-one, and paid a public tax; and it is a matter of universal notoriety that, under it free persons, without regard to color, claimed and exercised the franchise, until it was taken from free men of color a few years since by our amended Constitution.

Now, there is a decision of a Southern court upon this point, that the assertion that has been made here so often, that his Government was made for a white man's Government alone—that assertion is legally and historically untrue and unfounded. Well, sir, we find that on the adoption of the articles of confederation, the citizenship, the *confederate citizenship* of this class of people was fully acknowledged by the Congress which formed the articles of confederation. By reference to those articles, you will observe that the fourth article is in these words:

"The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States."

Did that include these colored men, these free men of color, or not? I ask gentlemen who are legal men, who have both legal and historical lore, stores of it—I ask them whether free colored people were included in those terms or not? They dare not give me a negative answer, because fortunately I have the means at hand to show the facts of the case. When this article was under consideration in the Confederate Congress, a dele-

gate from that peculiar home of chivalry, South Carolina, submitted an amendment to it, which has been made on this floor almost in the very terms. On the 26th of June, 1778, the articles of confederation being under consideration in Congress, the delegates from South Carolina moved to amend this fourth article by inserting after the word "free" and before the word "inhabitants" the word "white," so that the privileges and immunities of Confederate States citizenship—historians, lawyers, and grave judges, mark the words—Confederate States citizenship, would be secured only to *white* persons. Two States voted for that amendment; eight States voted against it, and one State was divided. So the free man of color was pronounced a *citizen of the Confederate States*. Such is the law and the history upon this point. That this Government was made wholly and solely for white men, I reassert it, is entirely without foundation, both legally and historically.

There have been some remarks made here upon that part of the Declaration of Independence which says that all men are born free and equal. And gentlemen have gravely asked, "why, are all men of one size?" My friend from Prince George's needed but to stand up side by side with me, to answer that question.

Mr. BARRY, of Prince George's. Does the Declaration of Independence contain any such words as—"all men are born free and equal?"

Mr. SANDS. That is about the sum and substance of it. And it was gravely asked: "Did you ever know of any two men of the same mental altitude?" "Did you ever know of any two leaves alike, or of any two stars alike?" And St. Paul was brought in by these biblical gentlemen as declaring that the stars differ one from another in glory. "O! it is awful!" they say. Now, I will tell these gentlemen that in one thing every sun that holds together a system; every star that revolves; of all those which shed light for joy at the creative act; every bird in the air; every fish in the sea; every beast in the field; every human being—in one thing they are all equal; that is, in the protecting Providence and care of Almighty God. And you better have a care how you lay your hand wrongfully upon one, even the least of them; for if you do, that eye which notes the fall of a sparrow, will witness your deed, and the reckoning is sure. In God's all-embracing love and care, every one of us are equal, for—I quote the Bible once more—"He is no respecter of persons." Slaveholding aristocrat; white mudsill, negro slave, they are all his children.

Why, sir, these gentlemen seem to me to have studied the course of human history, its great leading events, with very little care. I tell you, you can do as I have done; you can make it a study for months and years; you