

## THE VOICE

Do you ever think back on your life and re-visit something that happened that may have changed the course of your life? I want to share something that happened to me that I believe changed the course of my career. It involves a SPHEX member. I was in my last semester of law school at the University of Virginia. I was planning on being a tax or corporate lawyer. I decided to sign up for Judge Moon's trial advocacy class. I attended the first class and was disappointed to learn that I was fifteenth on the waiting list. At class, the list was announced, and I had almost left the classroom when Judge Moon said, "John Cook, I need you to stay." I did not know Judge Moon well. He knew my family and he, of course, knew I lived in Lynchburg. He made an extra spot in the class for me. Last December, I finished teaching the same trial advocacy class for the seventh year. When I joined the Caskie & Frost law firm, because I had completed the trial advocacy course, I started trying cases. I tried my first jury trial with Judge Moon presiding. I tried a lot of cases in my twenty-five years as a lawyer. If I had not tried cases, I never would have been elected judge. Judge Moon swore me in as a circuit court judge in 2008. I believe that, "John Cook, I need you to stay" from Judge Moon changed the course of my career.

The students in my trial advocacy class are either second year or third year law students. They have started the transformation of becoming a lawyer. In their first year of law school, they learn a lot of legal terms like "assumption of a risk", "double jeopardy" or "accord and satisfaction". They also learn new Latin and legal terms like "*nunc pro tunc*", "*res ipsa loquitur*"

or "*corpus delecti*". They start writing with Whereas and Heretofore. They invariably go home after their first year and try to impress their family and friends. It usually does not take long before their family and friends don't want to have anything to do with them.

We had a lawyer in Lynchburg ask a witness in an assault and battery case "where were you at the inception of the altercation?". The witness looked at Judge Jim Farmer with an expression like "what planet does this lawyer come from?". Judge Farmer clarified "where were you when the fight began?".

The trial advocacy class goal is to prepare the students to try a jury trial. In the first class, I put this quote on the screen

"Lawyers, I suppose, were children once."

Do you know where this comes from?

It is the epigraph to Harper Lee's "To Kill A Mockingbird" and is attributed to Charles Lamb, an English essayist and poet.

In "To Kill A Mockingbird", I believe the epigraph foreshadows that Jean Louis Finch, a child telling the story, still has her innocence. Her father, Atticus Finch, does not. He knows that Tom Robinson, an African American, accused of raping a white woman, will not get a fair trial in Macon County, Alabama in the 1930's.

I use it to send a different message. I use it to remind the students to not lose your humanity when you become a lawyer, speak in terms that they can understand. When I catch them using too much legal jargon or obtuse terms, I will say "Lawyers, I suppose, were children once".

In the first class, I talk to the students about Aristotle's three modes of persuasion in rhetoric. Ethos, pathos and logos. The rules of persuasion have not changed much since the fourth century.

Logos is the logic of the argument. I tell the students what I look for is a judge. I give them an equation  $A + B = C$ . A is what you believe the facts of the case are, B is the law that applies to the case and C is applying those facts to the law requires the Court to reach this result.

One of the most frequent questions I ask lawyers as a judge is "what is your authority for that argument?". I am looking for a statute or case law from the Virginia Supreme Court or the Virginia Court of Appeals or even the United States Supreme Court. If a lawyer is unable to answer that question, it usually is not good for his case.

Pathos is appealing to the emotions of the jury. I tell the students to try to make the jury feel the emotions of the case through the evidence. Try to make the case stand for a principle bigger than the individual case. If the lawyer can accomplish this, it enhances the chance of winning the case.

Ethos is the personal character of the advocate. A jury is more apt to be persuaded by a person who demonstrates his or her integrity, intelligence, friendliness, credibility and professionalism. A lawyer needs to believe he is the most important witness in the case.

This year, I cited a speech I felt demonstrated well all the modes of persuasion. It was delivered on July 5, 1852 in Rochester, New York. The speaker's theme is in this quote that I photographed off a wall: (Picture #1)

What, to the American slave, is your 4<sup>th</sup> of July?  
I answer;  
a day that reveals to him,  
more than all other days in the year,  
the gross injustice and cruelty  
to which he is the constant victim.  
To him, your celebration is a sham;  
your boasted liberty, an unholy license;  
your national greatness, swelling vanity;  
your sounds of rejoicing are empty and heartless;  
your denunciation of tyrants, brass fronted impudence;  
your shouts of liberty and equality, hollow mockery;  
your prayers and hymns,  
your sermons and thanksgivings,  
with all your religious parade and solemnity,  
are, to him, mere bombast, fraud, deception,  
impiety, and hypocrisy-  
a thin veil to cover up crimes  
which would disgrace a nation of savages.

In promoting the theme, the speaker employs logic and appeals to the emotions of his audience. He enumerated all the criminal statutes that applied to the American slaves. Are the Beasts of the field subject to the criminal law? Would you have me argue that a man is entitled to Liberty? Is he the rightful owner of his body? You have declared it (the Declaration of Independence -- all men are created equal).

He would also appeal to their God. He quoted from Psalm 137, the Psalm of the cry of the ancient Jews captive in Babylon.

By the Rivers of Babylon, there we sat down. Yea! we wept when we remembered Zion. We hanged our harps upon the willows in the midst thereof. For there, they that carried us away captive, required of us a song; and they who wasted us required of us mirth, saying, Sing us one of the songs of Zion. How can we sing the Lord's song in a strange land? If I forget thee, O Jerusalem, let

my right hand forget her cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth.

He also rephrased the prophet Jeremiah's tales of God's wrath and the people's mourning of their captivity.

"Above your national, tumultuous joy, I hear the mournful wail of millions! Whose chains, heavy and grievous yesterday, are today, rendered more intolerable by the jubilee shouts that reach them"

The speech is strong in logos and pathos. And as to ethos, has there ever been a better witness for his own case than Frederick Douglass? A slave who became a great orator, a writer of widely sold autobiographies and a genius with words. He received a standing ovation at the end of the speech. The speech was printed and spread. His biographer David Blight calls it the one of the greatest speeches in American history. This quote from that speech is in the great hallway of the Museum of African American History and Culture in Washington, D.C. (Picture #2)

We need the storm, the whirlwind, and the earthquake ...  
the hypocrisy of the Nation must be exposed; and its  
crimes ... denounced.

I read about the speech in Blight's Pulitzer Prize winning 2018 biography of Douglass. The subtitle is "Prophet of Freedom". One of his themes is that Douglass was an American prophet. Blight defines prophet through the words of the great Jewish theologian Abraham Heschel. "The prophet is human, yet he employs notes one octave too high for our ears. He is neither a singing saint nor a moralizing poet but an assaulter of the mind. Often his words begin to burn when conscious ends."

This paper is my journey to learn about Frederick Douglass. A year ago, I could tell you everything I knew about him in two minutes. I hope my journey will be of interest to you.

He was born with the name, Frederick Bailey in 1818 in Talbot County, Maryland near the Tuckahoe River. In October, I traveled to the Maryland Eastern Shore. There is a Frederick Douglass driving trail. These are my pictures of the Tuckahoe River near his birthplace. (Picture #3, 4 and 5) At the town of Hillsboro, within miles of where he was born, there is a historical marker on the river. (Picture #6) There is a Frederick Douglass park on the Tuckahoe that was established in 2018. (Picture # 7)

He barely knew his mother. He wrote that his father was a white slave owner. He was raised by his grandmother. At age six, his grandmother left him at the Wye Plantation where he was introduced to the realities of slavery. He suffered the physical and emotions scars of slavery. He was whipped and witnessed whippings. He felt the separation and abandonment of slavery. This is a quote that he wrote concerning the songs that the slaves sang on allowance day when they would receive their rations.

I did not when a slave, understand the deep meaning of those rude and apparently incoherent songs . . .They were tones loud, long, and deep; they breathed the prayer and complaint of souls boiling over with the bitterest anguish. The hearing of those wild notes always depressed my spirits, and filled me with ineffable sadness. The mere recurrence, even now, afflicts my spirit, and while I am writing these lines, my tears are falling. To those songs I trace my first glimmering conceptions of the dehumanizing character of slavery ...Those songs still follow me, to deepen my hatred of slavery, and quicken my sympathies for my brethren in bonds. If anyone wishes to be impressed with the soul-killing power of slavery, let him go to Col. Lloyd's plantation, and, on allowance day, place himself in the

deep pine woods, and there let him, in silence,  
thoughtfully analyze the sounds that shall pass through  
the chambers of his soul.

At age eight in 1826, he was sent to Baltimore to be a slave for the brother of his owner. He was very joyful to leave the plantation. You remember when I talked about things changing your life? This was the first major event that changed Frederick Douglass' life. He wrote about it later:

I look upon my departure from Colonel Lloyd's plantation as one of the most interesting events of my life. It is possible, and even quite probable, that but for the mere circumstance of being removed from that plantation to Baltimore, I should have today, instead of being here seated to my own table. In the enjoyment of freedom and the happiness of home . . . been confined in the galling chains of slavery. Going to live in Baltimore laid the foundation, and opened the gateway, to all my subsequent prosperity.

. . .

I may be deemed superstitious, and even egotistical, in regarding this event as a special interposition of divine Providence in my favor. But I should be false to the earliest sentiments of my soul, if I suppressed the opinion, I prefer to be true to myself, even at the hazard of incurring the ridicule of others, rather to be false, and incur my own abhorrence. From my earliest recollection, I date the entertainment of a deep conviction that slavery would not always be able to hold within its foul embrace; and in the darkest hours of my career in slavery, this living word of faith and spirit of hope departed not from me, but remained like ministering angels to cheer me through the gloom. This spirit was from God, and to him I offer thanksgiving and praise.

The wife of his new owner, Sophia Auld, he described as “more kin to a mother than a slave holding mistress”. She taught him the A, B, C’s and spelling. In Baltimore, he was exposed to many people, free blacks, black preachers, migrants and the people from the docks.

Baltimore was the second largest city in America. He obtained a copy of the *Columbian Orator*, a book that would be his constant companion. A book that included prose, verse, plays, speeches and essays. Some of the essays concern the natural rights of man. Here is a picture of the book on display on the Frederick Douglass National Park in Washington, D.C. A book inspires him. (Picture #8)

After living in Baltimore for seven years he was transferred back to the Eastern Shore due to a feud between the slave holding brothers. He was assigned to a slave breaker, Edward Covey. It was very difficult for him to go back to the Eastern Shore after being in Baltimore. He started speaking on Sundays in front of the other slaves. In 1836, he planned an escape with other slaves. One of the other slaves reported the plan to the slave owner and he was caught and jailed. The driving trail includes the Talbott County jail where he was. Here is a picture.

(Picture #9) On the other side of the jail is the Talbot County Courthouse. There is now a statue of Frederick Douglass that was erected in 2011. (Picture # 10,11) This is in Easton, Maryland and there are flags from the bicentennial celebration of Frederick Douglass’ birth. Picture #12)

He was in the jail for one week. His owner decided to sell him to a slave owner in Alabama or Georgia. This surely would have changed his life and he would have never become Frederick Douglass. At the last moment, his master changed his mind and returned him to Baltimore. This was another event that significantly changed his life.

On his return, he learned the trade of being a caulker in the shipyard.

He met his future wife, Anna, and she helped him plan his escape on September 3, 1838. He dressed as a sailor and obtained some sailor protection paper. He jumped a train to Delaware. After a steamboat ride and another train, he landed in New York. He wrote, "A new world opened up to me. I lived more in one day than in a year of my slave years."

He eventually settled in the whaling town of New Bedford, Massachusetts. There he would continue being a caulker. He changed his name to Douglass based on a Scottish Highland clan in a Sir Walter Scott poem "The Lady of the Lake". He met some abolitionists and in his first meeting he was invited to say a few words. He remembered "I trembled in every limb. I am sure that my embarrassment was not the most effective part of my speech, if speech he could be called."

He continued to speak with abolitionists. David Blight writes that along with Mark Twain, he was the most traveled American. Through experience, he became a great orator.

In 1845 he published the first of three autobiographies, *The Narrative of the Life of Fredrick Douglass*. Within four months, five thousand copies were sold. By 1860 thirty thousand were sold. Because of this book, he came the most famous African American of his time. After it was published, out of fear as a fugitive slave, he fled America and spent two years speaking in Great Britain and Ireland. His freedom was purchased for \$711.66 in 1846 by some of his friends in England.

He lived in Rochester, New York from 1848 to 1873 where he published the newspaper "The North Star". The North Star was the star fugitive slaves were guided by. In 1873, he moved to Washington, D.C. He purchased the home "Cedar Hill" in D.C. This is a picture of "Cedar Hill" I visited in October. (Picture #13). There is a great view and you can see the

Washington Monument. (Picture #14) It is in the Frederick Douglass National Park in southeast D.C.

What was the country like in the 1850's when Frederick Douglass escaped from slavery?

I read a good book, titled "The War Before the War, Fugitive Slaves and the Struggle for American Soul" by Andrew Delbanco. The book starts by looking back at the U.S. Constitution Article 4, Section 2 Clause 3:

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 done.

Did you know this clause is in the Constitution? This clause along with counting persons of servitude as three-fifths of a person are part of the "ugly compromise" of the United States Constitution. The clause cited did not provide any mechanism for enforcement. It was not being enforced. Northern states adopted "personal liberty laws" that put up barriers to enforcement including laws guaranteeing jury trials and prohibiting state officials from assisting in returning fugitive slaves.

In 1850, the Fugitive Slave Act passed as part of the compromise of 1850. In return for keeping slaves out of some of the new territories obtained after the Mexican War, the north agreed to the act. The Fugitive Slave Act denied habeas corpus, the legal challenge of detention, denied right to trial by jury and the slave could not testify. It also made it a criminal act to assist a fugitive slave. It provided that Federal Commissioners had the right to recover the slaves and awarded money for their return.

After the Act, northerners observed the captures of the fugitive slaves. Slavery became much less of a regional issue but much more of a National problem. In the north, the Act was known as the Bloodhound Law and intensified the divide on the slavery issue. Frederick Douglass stated that “the Fugitive Slave Bill has especially been a positive service to the anti-slavery movement”.

In 1853, a slave sued for his freedom in Federal Court in Missouri. He had lived for extended periods in the state of Illinois and the Wisconsin territory, both of which were free. There was legal precedent in Missouri and other states that once a slave who had lived for an extended period in a free state or territory was free.

The case was appealed to the United States Supreme Court and the decision was announced in 1857.

The slave’s name was Dred Scott. Chief Justice Roger Taney wrote and announced the opinion. He was nominated by Andrew Jackson to follow John Marshall (the topic of my first paper). The Chief Justice held that Scott did not have standing to sue. He was not a United States citizen as a member of the Negro African race. “No slave has any rights the white man was bound to respect.” He further denied Congress or the territorial government the power to exclude slavery as violating the right to due process under the Fifth Amendment. The opinion further states that at the time of the drafting of the Constitution, the Negro race was considered as insubordinate and inferior class of beings who have been subjugated by the dominate race.

The case undermined the prestige of the Court and virtually all legal scholars consider it to be the worst decision ever issued by the Supreme Court. In addition to the majority opinion,

there are six concurring opinions and two dissenting opinions. The opinion is more than one hundred and ten thousand words and is more than a good-sized book. There was outrage in the North over the decision and the proliferation of opinions compounded the problem. Abraham Lincoln in his first debate with Stephen Douglas, called the Dred Scott decision, the first step toward “perpetuity and nationalization of slavery”. In his dissent, Justice Benjamin Curtis wrote, “when theoretical opinions of individuals are allowed to control the meaning of the Constitution, we have no longer a Constitution, we are under the government of individual men.” He resigned from the court later that year over the case. The decision made the deep division over slavery much deeper.

This is the era in which Frederick Douglass lived.

Douglass’ voice and witness during this time was crucial to the debate. Not only would he be a witness, but he produced exhibits for his case. He was the most photographed person in America during the 19<sup>th</sup> Century. He recognized the close connection between photography and freedom. He defined himself a free man as much through his portraits as through his words. He also felt photography was a witness to African American humanity. He never smiled in his pictures. He dressed up and appeared “majestic in his wrath”. In his later years, he grew longer hair and had a fuller beard. He would be called the “Lion of Anacostia”. Anacostia was the neighborhood around his home in Washington, D.C. Here is a wonderful book, “Picturing Frederick Douglass, an illustrated biography of the 19<sup>th</sup> century most photographed American”.

In the trial advocacy class, I talk with the students on the importance of photos and exhibits. We discuss the rule of vividness. Tests show that we retain 10 percent of what we

read, 20 percent of what we hear, 30 percent of what we see, but 50 percent of what we see and hear. Douglass provided his audience photos that they could remember.

In the Frederick Douglass National Park visitor center, there is a statue of Frederick Douglass and a wall containing about thirty quotes. The heading on the wall is "Thoughts for all time". (Picture #15) Earlier I showed you a quote from his speech on July 5, 1852.

I wanted to share with you a couple of the other quotes. There are quotes on women's suffrage. Douglass was one of the few men to attend the Pioneer Women's Rights convention at Seneca Falls. (Pictures #16, 17)

There is also a quote concerning discrimination he faced in the North. (Picture # 18) In 1841 he rode the Massachusetts and New Hampshire train. Douglass sat in the long car (the white only car). The conductor was enraged that Douglass was sitting there. It took six men to oust him from the car. There was an uproar over the incident and eventually the railroad company would not stop in Lynn, Massachusetts where Douglass was living at the time. There continued to be protests and after debates in the Massachusetts legislature the railroad company eliminated segregation on the train lines.

In her Spheeris paper presented on January 9, 2020, Arelia Langhorne recommended that we visit the National Museum of African American History and Culture. I went on January 17, 2020. I had the day off for Lee Jackson Day. I am glad I went as it is a very impressive museum.

When you first arrive at the museum, you are directed to an elevator. The elevator simulates taking you back in time. As you go down three floors, you see the years on the side of the elevator going back in time. It stops at the year 1400. As you make your way from floor

to floor, you go from the 1400's to present times. When you first arrive at the elevator, there is a prominent picture of Fredrick Douglass. (Picture #19)

There is a display in the museum devoted to Frederick Douglass and Abraham Lincoln. They had a special relationship. There is a picture of each of them along with a picture of African American soldiers who served in the Union. It is entitled, "Shaping the Debate" Frederick Douglass was very critical of Lincoln in many of his speeches. (Picture #20,21) The exhibit notes that Frederick Douglass used his "renowned oratory and his power as an abolitionist leader to demand that the President take action. First in slavery as the Commander in Chief. Second to enlist African Americans in the liberty army and third to grant citizenship." Lincoln acted on the first two, but waived on citizenship.

Frederick Douglass went to see Abraham Lincoln at the White House unannounced in August of 1863. There were a lot of people waiting to see the President. Some had been waiting for days.

"They were all white and I was the only dark spot among them", Douglas said later. "I expected to wait for at least a half a day." Douglass sent his card up the line. It took two minutes for the White House manager to summon Mr. Douglass. He met with Abraham Lincoln about the treatment of African American soldiers by the south and urged for equal pay. Lincoln promised to sign any commission recommended by the Secretary of War but did not commit to equal pay. "Though I was not entirely satisfied with his views", Douglass wrote later, "I am so well satisfied with the man and the educating tendency of the conflict that I was determined to go on with the recruiting."

Lincoln extending three more invitations for Douglass to come to the White House including his second inaugural address. When Douglass arrived at the door, two police officers stopped him because he was black. “The officer took me rudely by the arm and ordered me to stand back, for their directions to admit no persons of my color.”

The officers took him to a temporary passage for the exit of visitors. Douglass refused to leave. A man in Lincoln’s administration recognized Douglass and relayed a message to Lincoln. Douglass was escorted to the East Room. “Amid a sense of elegance in this country I have never before witnessed.” Douglass would say “Like a mountain pine high above all others, Mr. Lincoln stood in his grand simplicity, and homelike beauty recognizing me, even before I reached him, he explained so that all could hear, ‘Here comes my friend Douglass’.”

Lincoln took his hand and said “I’m glad to see you. I saw you in the crowd today listening to my inaugural address. How did you like it?” Douglass replied, “I must not detain you with my poor opinion when there are thousands waiting to shake hands with you”. “No, no,” Lincoln said, “You must stop a little, Douglass. There is no man in the country whose opinion I value more than yours. I want to know what you think of it”. Douglass replied “Mr. Lincoln, that was a sacred effort.”

After Lincoln’s assassination, Mary Todd Lincoln gave Douglass one of Lincoln’s favorite walking canes. It was a deeply moving show of thanks by Mrs. Lincoln to Mr. Douglass for his support of her husband as he led the nation through the civil war. He wrote a thank you note dated August 17, 1865. “I assure you that this inestimable memento of his Excellency will be retained in my possession while I live – an object of sacred interest.” Some of the photos in the

pictorial book have him holding the cane. The cane is on display at the Frederick Douglass National Park. (Picture #22)

When I was in D.C. in January, I arose early for walk to the Lincoln Park. It is just east of the Capital and the U.S. Supreme Court buildings. In the middle of the park is the Freedman's Memorial also known as the Emancipation Memorial. (Pictures # 23,24,25) It depicts a standing Abraham Lincoln and a kneeling slave who is looking upwards with his fist clenched and breaking his own chains under the President's guiding arm. Twenty thousand dollars was initially raised from former slaves and black civil war veterans for the statute.

It was unveiled on April 14, 1876. Exactly eleven years from the date of Lincoln's assassination. In attendance for the unveiling was President Ulysses S. Grant, the Chief Justice Morrison Waite, Senators and Representatives and Cabinet Members. The keynote speaker was Frederick Douglass. David Blight writes that no African American speaker had ever faced this captive audience composed of the leadership of the Federal government in one place and no such speaker would again until Barack Obama's inauguration in January of 2009.

The "assaulter of the mind" was very direct in the speech. After claiming a place for his people in honoring Lincoln, Douglass shocked some of his audience by saying, "it must be admitted, truth compels me to admit, even in the presence of the monument we have erected to his memory, Abraham Lincoln was not ... either our man our model. He was preeminently the white man's president." He listed all the ways Lincoln acted for the union and not for African Americans. "My white fellow-citizens . . . you are the children of Abraham Lincoln. We are best only his stepchildren.; children by adoption, children by circumstance of necessity."

He then praised Lincoln, “despite grief and bewilderment at the president’s slow actions - the hour and the man of our redemption had somehow met in the person of Abraham Lincoln”. Viewed from the genuine abolition ground, Mr. Lincoln seemed tardy, cold, dull and indifferent; but measuring him from the sentiment of the country, a sentiment he was bound as a statesman to consult, he was swift, zealous, radical and determined.”

In the speech, Douglass targeted the declension and betrayal of Reconstruction. Although Lincoln saved the Union, it was the burden of the entire nation. The survival of the free person in the south were at stake, and Douglass sent the message that the Grant administration had to act.

In June of that year, Douglass spoke at the Republican convention when Grant was nominated for a second term. A quote for the speech is displayed at the African American Museum, (Picture #26)

You say you have emancipated us. You have and I thank you for it. But what is your emancipation? But when You turned us loose, you gave us no acres.

You turned us loose to the sky, to the storm, to the whirlwind, and worst, of all you turned us loose to the wrath of our infuriated masters.

Why study history? Mark Twain said, “History does not repeat itself but it does rhyme”. There is a sentence in the book, “The War before the War” I cited earlier, which rings true, “The moral problem of how to reconcile irreconcilable values is a timeless one that sooner or later confronts us all.” Fredrick Douglass is an example of the importance of a voice during these times. He used all the modes of persuasion, but especially ethos. During the 19<sup>th</sup>

century, he advocated for African Americans through his writing, through telling his story, through his great speeches and through his photographs.

At the dedication of the National Museum of African American History and Culture on September 24 ,2016, (Picture #27) President Barrack Obama spoke about the importance of history. He spoke of patriotism and that a great nation does not hide from the truth.

“And so, this national museum helps us to tell a richer and fuller story of who we are. It helps us better understand the lives, yes of the president, but also the slave, the industrialist but the porter, the keeper of the status quo but also the optimist seeking to overthrow the status quo, the teacher, or the cook, alongside the statesman. “

And by knowing this other story, we better understand ourselves and each other. It binds us together. It reaffirms that all of us are American, that African American history is not somehow separate from our larger American story, it’s not the underside of the American story. It is central to the American story, that our glory derives not just from our most obvious triumphs, but how we’ve wrested triumph from tragedy and how we’ve been able to remake ourselves again, and again, and again, in accordance with our highest ideals.

I too am American.

It is an act of patriotism to understand where we’ve been, and the museum tells the story of so many patriots.

We buttoned up our Union blues to join in the fight for our freedom, we’ve railed against injustice for decade upon decade, a lifetime of struggle and progress and enlightenment that we see etched in Frederick Douglass’ mighty leonine gaze.”

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Do you know where this comes from?

It is the epigraph to Harper Lee's "To Kill A Mockingbird" and is attributed to Charles Lamb, an English essayist and poet.

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I use it to send a different message. I use it to remind the students to not lose your humanity when you become a lawyer, speak in terms that they can understand. When I catch them using too much legal jargon or obtuse terms, I will say "Lawyers, I suppose, were children once".

In the first class, I talk to the students about Aristotle's three modes of persuasion in rhetoric. Ethos, pathos and logos. The rules of persuasion have not changed much since the fourth century.

Logos is the logic of the argument. I tell the students what I look for is a judge. I give them an equation  $A + B = C$ . A is what you believe the facts of the case are, B is the law that applies to the case and C is applying those facts to the law requires the Court to reach this result.

One of the most frequent questions I ask lawyers as a judge is "what is your authority for that argument?". I am looking for a statute or case law from the Virginia Supreme Court or the Virginia Court of Appeals or even the United States Supreme Court. If a lawyer is unable to answer that question, it usually is not good for his case.

Pathos is appealing to the emotions of the jury. I tell the students to try to make the jury feel the emotions of the case through the evidence. Try to make the case stand for a principle bigger than the individual case. If the lawyer can accomplish this, it enhances the chance of winning the case.

Ethos is the personal character of the advocate. A jury is more apt to be persuaded by a person who demonstrates his or her integrity, intelligence, friendliness, credibility and professionalism. A lawyer needs to believe he is the most important witness in the case.

This year, I cited a speech I felt demonstrated well all the modes of persuasion. It was delivered on July 5, 1852 in Rochester, New York. The speaker's theme is in this quote that I photographed off a wall: (Picture #1)

What, to the American slave, is your 4<sup>th</sup> of July?  
I answer;  
a day that reveals to him,  
more than all other days in the year,  
the gross injustice and cruelty  
to which he is the constant victim.  
To him, your celebration is a sham;  
your boasted liberty, an unholy license;  
your national greatness, swelling vanity;  
your sounds of rejoicing are empty and heartless;  
your denunciation of tyrants, brass fronted impudence;  
your shouts of liberty and equality, hollow mockery;  
your prayers and hymns,  
your sermons and thanksgivings,  
with all your religious parade and solemnity,  
are, to him, mere bombast, fraud, deception,  
impiety, and hypocrisy-  
a thin veil to cover up crimes  
which would disgrace a nation of savages.

In promoting the theme, the speaker employs logic and appeals to the emotions of his audience. He enumerated all the criminal statutes that applied to the American slaves. Are the Beasts of the field subject to the criminal law? Would you have me argue that a man is entitled to Liberty? Is he the rightful owner of his body? You have declared it (the Declaration of Independence -- all men are created equal).

He would also appeal to their God. He quoted from Psalm 137, the Psalm of the cry of the ancient Jews captive in Babylon.

By the Rivers of Babylon, there we sat down. Yea! we wept when we remembered Zion. We hanged our harps upon the willows in the midst thereof. For there, they that carried us away captive, required of us a song; and they who wasted us required of us mirth, saying, Sing us one of the songs of Zion. How can we sing the Lord's song in a strange land? If I forget thee, O Jerusalem, let

my right hand forget her cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth.

He also rephrased the prophet Jeremiah's tales of God's wrath and the people's mourning of their captivity.

"Above your national, tumultuous joy, I hear the mournful wail of millions! Whose chains, heavy and grievous yesterday, are today, rendered more intolerable by the jubilee shouts that reach them"

The speech is strong in logos and pathos. And as to ethos, has there ever been a better witness for his own case than Frederick Douglass? A slave who became a great orator, a writer of widely sold autobiographies and a genius with words. He received a standing ovation at the end of the speech. The speech was printed and spread. His biographer David Blight calls it the one of the greatest speeches in American history. This quote from that speech is in the great hallway of the Museum of African American History and Culture in Washington, D.C. (Picture #2)

We need the storm, the whirlwind, and the earthquake ...  
the hypocrisy of the Nation must be exposed; and its  
crimes ... denounced.

I read about the speech in Blight's Pulitzer Prize winning 2018 biography of Douglass. The subtitle is "Prophet of Freedom". One of his themes is that Douglass was an American prophet. Blight defines prophet through the words of the great Jewish theologian Abraham Heschel. "The prophet is human, yet he employs notes one octave too high for our ears. He is neither a singing saint nor a moralizing poet but an assaulter of the mind. Often his words begin to burn when conscious ends."

This paper is my journey to learn about Frederick Douglass. A year ago, I could tell you everything I knew about him in two minutes. I hope my journey will be of interest to you.

He was born with the name, Frederick Bailey in 1818 in Talbot County, Maryland near the Tuckahoe River. In October, I traveled to the Maryland Eastern Shore. There is a Frederick Douglass driving trail. These are my pictures of the Tuckahoe River near his birthplace. (Picture #3, 4 and 5) At the town of Hillsboro, within miles of where he was born, there is a historical marker on the river. (Picture #6) There is a Frederick Douglass park on the Tuckahoe that was established in 2018. (Picture # 7)

He barely knew his mother. He wrote that his father was a white slave owner. He was raised by his grandmother. At age six, his grandmother left him at the Wye Plantation where he was introduced to the realities of slavery. He suffered the physical and emotions scars of slavery. He was whipped and witnessed whippings. He felt the separation and abandonment of slavery. This is a quote that he wrote concerning the songs that the slaves sang on allowance day when they would receive their rations.

I did not when a slave, understand the deep meaning of those rude and apparently incoherent songs . . .They were tones loud, long, and deep; they breathed the prayer and complaint of souls boiling over with the bitterest anguish. The hearing of those wild notes always depressed my spirits, and filled me with ineffable sadness. The mere recurrence, even now, afflicts my spirit, and while I am writing these lines, my tears are falling. To those songs I trace my first glimmering conceptions of the dehumanizing character of slavery ...Those songs still follow me, to deepen my hatred of slavery, and quicken my sympathies for my brethren in bonds. If anyone wishes to be impressed with the soul-killing power of slavery, let him go to Col. Lloyd's plantation, and, on allowance day, place himself in the

deep pine woods, and there let him, in silence,  
thoughtfully analyze the sounds that shall pass through  
the chambers of his soul.

At age eight in 1826, he was sent to Baltimore to be a slave for the brother of his owner.

He was very joyful to leave the plantation. You remember when I talked about things changing your life? This was the first major event that changed Frederick Douglass' life. He wrote about it later:

I look upon my departure from Colonel Lloyd's plantation as one of the most interesting events of my life. It is possible, and even quite probable, that but for the mere circumstance of being removed from that plantation to Baltimore, I should have today, instead of being here seated to my own table. In the enjoyment of freedom and the happiness of home . . . been confined in the galling chains of slavery. Going to live in Baltimore laid the foundation, and opened the gateway, to all my subsequent prosperity.

. . .

I may be deemed superstitious, and even egotistical, in regarding this event as a special interposition of divine Providence in my favor. But I should be false to the earliest sentiments of my soul, if I suppressed the opinion, I prefer to be true to myself, even at the hazard of incurring the ridicule of others, rather to be false, and incur my own abhorrence. From my earliest recollection, I date the entertainment of a deep conviction that slavery would not always be able to hold within its foul embrace; and in the darkest hours of my career in slavery, this living word of faith and spirit of hope departed not from me, but remained like ministering angels to cheer me through the gloom. This spirit was from God, and to him I offer thanksgiving and praise.

The wife of his new owner, Sophia Auld, he described as “more kin to a mother than a slave holding mistress”. She taught him the A, B, C’s and spelling. In Baltimore, he was exposed to many people, free blacks, black preachers, migrants and the people from the docks.

Baltimore was the second largest city in America. He obtained a copy of the *Columbian Orator*, a book that would be his constant companion. A book that included prose, verse, plays, speeches and essays. Some of the essays concern the natural rights of man. Here is a picture of the book on display on the Frederick Douglass National Park in Washington, D.C. A book inspires him. (Picture #8)

After living in Baltimore for seven years he was transferred back to the Eastern Shore due to a feud between the slave holding brothers. He was assigned to a slave breaker, Edward Covey. It was very difficult for him to go back to the Eastern Shore after being in Baltimore. He started speaking on Sundays in front of the other slaves. In 1836, he planned an escape with other slaves. One of the other slaves reported the plan to the slave owner and he was caught and jailed. The driving trail includes the Talbott County jail where he was. Here is a picture.

(Picture #9) On the other side of the jail is the Talbot County Courthouse. There is now a statue of Frederick Douglass that was erected in 2011. (Picture # 10,11) This is in Easton, Maryland and there are flags from the bicentennial celebration of Frederick Douglass’ birth. Picture #12)

He was in the jail for one week. His owner decided to sell him to a slave owner in Alabama or Georgia. This surely would have changed his life and he would have never become Frederick Douglass. At the last moment, his master changed his mind and returned him to Baltimore. This was another event that significantly changed his life.

On his return, he learned the trade of being a caulker in the shipyard.

He met his future wife, Anna, and she helped him plan his escape on September 3, 1838. He dressed as a sailor and obtained some sailor protection paper. He jumped a train to Delaware. After a steamboat ride and another train, he landed in New York. He wrote, "A new world opened up to me. I lived more in one day than in a year of my slave years."

He eventually settled in the whaling town of New Bedford, Massachusetts. There he would continue being a caulker. He changed his name to Douglass based on a Scottish Highland clan in a Sir Walter Scott poem "The Lady of the Lake". He met some abolitionists and in his first meeting he was invited to say a few words. He remembered "I trembled in every limb. I am sure that my embarrassment was not the most effective part of my speech, if speech he could be called."

He continued to speak with abolitionists. David Blight writes that along with Mark Twain, he was the most traveled American. Through experience, he became a great orator.

In 1845 he published the first of three autobiographies, *The Narrative of the Life of Fredrick Douglass*. Within four months, five thousand copies were sold. By 1860 thirty thousand were sold. Because of this book, he came the most famous African American of his time. After it was published, out of fear as a fugitive slave, he fled America and spent two years speaking in Great Britain and Ireland. His freedom was purchased for \$711.66 in 1846 by some of his friends in England.

He lived in Rochester, New York from 1848 to 1873 where he published the newspaper "The North Star". The North Star was the star fugitive slaves were guided by. In 1873, he moved to Washington, D.C. He purchased the home "Cedar Hill" in D.C. This is a picture of "Cedar Hill" I visited in October. (Picture #13). There is a great view and you can see the

Washington Monument. (Picture #14) It is in the Frederick Douglass National Park in southeast D.C.

What was the country like in the 1850's when Frederick Douglass escaped from slavery?

I read a good book, titled "The War Before the War, Fugitive Slaves and the Struggle for American Soul" by Andrew Delbanco. The book starts by looking back at the U.S. Constitution Article 4, Section 2 Clause 3:

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 done.

Did you know this clause is in the Constitution? This clause along with counting persons of servitude as three-fifths of a person are part of the "ugly compromise" of the United States Constitution. The clause cited did not provide any mechanism for enforcement. It was not being enforced. Northern states adopted "personal liberty laws" that put up barriers to enforcement including laws guaranteeing jury trials and prohibiting state officials from assisting in returning fugitive slaves.

In 1850, the Fugitive Slave Act passed as part of the compromise of 1850. In return for keeping slaves out of some of the new territories obtained after the Mexican War, the north agreed to the act. The Fugitive Slave Act denied habeas corpus, the legal challenge of detention, denied right to trial by jury and the slave could not testify. It also made it a criminal act to assist a fugitive slave. It provided that Federal Commissioners had the right to recover the slaves and awarded money for their return.

After the Act, northerners observed the captures of the fugitive slaves. Slavery became much less of a regional issue but much more of a National problem. In the north, the Act was known as the Bloodhound Law and intensified the divide on the slavery issue. Frederick Douglass stated that “the Fugitive Slave Bill has especially been a positive service to the anti-slavery movement”.

In 1853, a slave sued for his freedom in Federal Court in Missouri. He had lived for extended periods in the state of Illinois and the Wisconsin territory, both of which were free. There was legal precedent in Missouri and other states that once a slave who had lived for an extended period in a free state or territory was free.

The case was appealed to the United States Supreme Court and the decision was announced in 1857.

The slave’s name was Dred Scott. Chief Justice Roger Taney wrote and announced the opinion. He was nominated by Andrew Jackson to follow John Marshall (the topic of my first paper). The Chief Justice held that Scott did not have standing to sue. He was not a United States citizen as a member of the Negro African race. “No slave has any rights the white man was bound to respect.” He further denied Congress or the territorial government the power to exclude slavery as violating the right to due process under the Fifth Amendment. The opinion further states that at the time of the drafting of the Constitution, the Negro race was considered as insubordinate and inferior class of beings who have been subjugated by the dominate race.

The case undermined the prestige of the Court and virtually all legal scholars consider it to be the worst decision ever issued by the Supreme Court. In addition to the majority opinion,

there are six concurring opinions and two dissenting opinions. The opinion is more than one hundred and ten thousand words and is more than a good-sized book. There was outrage in the North over the decision and the proliferation of opinions compounded the problem. Abraham Lincoln in his first debate with Stephen Douglas, called the Dred Scott decision, the first step toward “perpetuity and nationalization of slavery”. In his dissent, Justice Benjamin Curtis wrote, “when theoretical opinions of individuals are allowed to control the meaning of the Constitution, we have no longer a Constitution, we are under the government of individual men.” He resigned from the court later that year over the case. The decision made the deep division over slavery much deeper.

This is the era in which Frederick Douglass lived.

Douglass’ voice and witness during this time was crucial to the debate. Not only would he be a witness, but he produced exhibits for his case. He was the most photographed person in America during the 19<sup>th</sup> Century. He recognized the close connection between photography and freedom. He defined himself a free man as much through his portraits as through his words. He also felt photography was a witness to African American humanity. He never smiled in his pictures. He dressed up and appeared “majestic in his wrath”. In his later years, he grew longer hair and had a fuller beard. He would be called the “Lion of Anacostia”. Anacostia was the neighborhood around his home in Washington, D.C. Here is a wonderful book, “Picturing Frederick Douglass, an illustrated biography of the 19<sup>th</sup> century most photographed American”.

In the trial advocacy class, I talk with the students on the importance of photos and exhibits. We discuss the rule of vividness. Tests show that we retain 10 percent of what we

read, 20 percent of what we hear, 30 percent of what we see, but 50 percent of what we see and hear. Douglass provided his audience photos that they could remember.

In the Frederick Douglass National Park visitor center, there is a statue of Frederick Douglass and a wall containing about thirty quotes. The heading on the wall is "Thoughts for all time". (Picture #15) Earlier I showed you a quote from his speech on July 5, 1852.

I wanted to share with you a couple of the other quotes. There are quotes on women's suffrage. Douglass was one of the few men to attend the Pioneer Women's Rights convention at Seneca Falls. (Pictures #16, 17)

There is also a quote concerning discrimination he faced in the North. (Picture # 18) In 1841 he rode the Massachusetts and New Hampshire train. Douglass sat in the long car (the white only car). The conductor was enraged that Douglass was sitting there. It took six men to oust him from the car. There was an uproar over the incident and eventually the railroad company would not stop in Lynn, Massachusetts where Douglass was living at the time. There continued to be protests and after debates in the Massachusetts legislature the railroad company eliminated segregation on the train lines.

In her Sphex paper presented on January 9, 2020, Arelia Langhorne recommended that we visit the National Museum of African American History and Culture. I went on January 17, 2020. I had the day off for Lee Jackson Day. I am glad I went as it is a very impressive museum.

When you first arrive at the museum, you are directed to an elevator. The elevator simulates taking you back in time. As you go down three floors, you see the years on the side of the elevator going back in time. It stops at the year 1400. As you make your way from floor

to floor, you go from the 1400's to present times. When you first arrive at the elevator, there is a prominent picture of Fredrick Douglass. (Picture #19)

There is a display in the museum devoted to Frederick Douglass and Abraham Lincoln. They had a special relationship. There is a picture of each of them along with a picture of African American soldiers who served in the Union. It is entitled, "Shaping the Debate" Frederick Douglass was very critical of Lincoln in many of his speeches. (Picture #20,21) The exhibit notes that Frederick Douglass used his "renowned oratory and his power as an abolitionist leader to demand that the President take action. First in slavery as the Commander in Chief. Second to enlist African Americans in the liberty army and third to grant citizenship." Lincoln acted on the first two, but waived on citizenship.

Frederick Douglass went to see Abraham Lincoln at the White House unannounced in August of 1863. There were a lot of people waiting to see the President. Some had been waiting for days.

"They were all white and I was the only dark spot among them", Douglas said later. "I expected to wait for at least a half a day." Douglass sent his card up the line. It took two minutes for the White House manager to summon Mr. Douglass. He met with Abraham Lincoln about the treatment of African American soldiers by the south and urged for equal pay. Lincoln promised to sign any commission recommended by the Secretary of War but did not commit to equal pay. "Though I was not entirely satisfied with his views", Douglass wrote later, "I am so well satisfied with the man and the educating tendency of the conflict that I was determined to go on with the recruiting."

Lincoln extending three more invitations for Douglass to come to the White House including his second inaugural address. When Douglass arrived at the door, two police officers stopped him because he was black. “The officer took me rudely by the arm and ordered me to stand back, for their directions to admit no persons of my color.”

The officers took him to a temporary passage for the exit of visitors. Douglass refused to leave. A man in Lincoln’s administration recognized Douglass and relayed a message to Lincoln. Douglass was escorted to the East Room. “Amid a sense of elegance in this country I have never before witnessed.” Douglass would say “Like a mountain pine high above all others, Mr. Lincoln stood in his grand simplicity, and homelike beauty recognizing me, even before I reached him, he explained so that all could hear, ‘Here comes my friend Douglass’.”

Lincoln took his hand and said “I’m glad to see you. I saw you in the crowd today listening to my inaugural address. How did you like it?” Douglass replied, “I must not detain you with my poor opinion when there are thousands waiting to shake hands with you”. “No, no,” Lincoln said, “You must stop a little, Douglass. There is no man in the country whose opinion I value more than yours. I want to know what you think of it”. Douglass replied “Mr. Lincoln, that was a sacred effort.”

After Lincoln’s assassination, Mary Todd Lincoln gave Douglass one of Lincoln’s favorite walking canes. It was a deeply moving show of thanks by Mrs. Lincoln to Mr. Douglass for his support of her husband as he led the nation through the civil war. He wrote a thank you note dated August 17, 1865. “I assure you that this inestimable meumento of his Excellency will be retained in my possession while I live – an object of sacred interest.” Some of the photos in the

pictorial book have him holding the cane. The cane is on display at the Frederick Douglass National Park. (Picture #22)

When I was in D.C. in January, I arose early for walk to the Lincoln Park. It is just east of the Capital and the U.S. Supreme Court buildings. In the middle of the park is the Freedman's Memorial also known as the Emancipation Memorial. (Pictures # 23,24,25) It depicts a standing Abraham Lincoln and a kneeling slave who is looking upwards with his fist clenched and breaking his own chains under the President's guiding arm. Twenty thousand dollars was initially raised from former slaves and black civil war veterans for the statute.

It was unveiled on April 14, 1876. Exactly eleven years from the date of Lincoln's assassination. In attendance for the unveiling was President Ulysses S. Grant, the Chief Justice Morrison Waite, Senators and Representatives and Cabinet Members. The keynote speaker was Frederick Douglass. David Blight writes that no African American speaker had ever faced this captive audience composed of the leadership of the Federal government in one place and no such speaker would again until Barack Obama's inauguration in January of 2009.

The "assaulter of the mind" was very direct in the speech. After claiming a place for his people in honoring Lincoln, Douglass shocked some of his audience by saying, "it must be admitted, truth compels me to admit, even in the presence of the monument we have erected to his memory, Abraham Lincoln was not ... either our man our model. He was preeminently the white man's president." He listed all the ways Lincoln acted for the union and not for African Americans. "My white fellow-citizens . . . you are the children of Abraham Lincoln. We are best only his stepchildren.; children by adoption, children by circumstance of necessity."

He then praised Lincoln, “despite grief and bewilderment at the president’s slow actions - the hour and the man of our redemption had somehow met in the person of Abraham Lincoln”. Viewed from the genuine abolition ground, Mr. Lincoln seemed tardy, cold, dull and indifferent; but measuring him from the sentiment of the country, a sentiment he was bound as a statesman to consult, he was swift, zealous, radical and determined.”

In the speech, Douglass targeted the declension and betrayal of Reconstruction. Although Lincoln saved the Union, it was the burden of the entire nation. The survival of the free person in the south were at stake, and Douglass sent the message that the Grant administration had to act.

In June of that year, Douglass spoke at the Republican convention when Grant was nominated for a second term. A quote for the speech is displayed at the African American Museum, (Picture #26)

You say you have emancipated us. You have and I thank you for it. But what is your emancipation? But when You turned us loose, you gave us no acres.

You turned us loose to the sky, to the storm, to the whirlwind, and worst, of all you turned us loose to the wrath of our infuriated masters.

Why study history? Mark Twain said, “History does not repeat itself but it does rhyme”. There is a sentence in the book, “The War before the War” I cited earlier, which rings true, “The moral problem of how to reconcile irreconcilable values is a timeless one that sooner or later confronts us all.” Fredrick Douglass is an example of the importance of a voice during these times. He used all the modes of persuasion, but especially ethos. During the 19<sup>th</sup>

century, he advocated for African Americans through his writing, through telling his story, through his great speeches and through his photographs.

At the dedication of the National Museum of African American History and Culture on September 24 ,2016, (Picture #27) President Barrack Obama spoke about the importance of history. He spoke of patriotism and that a great nation does not hide from the truth.

“And so, this national museum helps us to tell a richer and fuller story of who we are. It helps us better understand the lives, yes of the president, but also the slave, the industrialist but the porter, the keeper of the status quo but also the optimist seeking to overthrow the status quo, the teacher, or the cook, alongside the statesman. “

And by knowing this other story, we better understand ourselves and each other. It binds us together. It reaffirms that all of us are American, that African American history is not somehow separate from our larger American story, it’s not the underside of the American story. It is central to the American story, that our glory derives not just from our most obvious triumphs, but how we’ve wrested triumph from tragedy and how we’ve been able to remake ourselves again, and again, and again, in accordance with our highest ideals.

I too am American.

It is an act of patriotism to understand where we’ve been, and the museum tells the story of so many patriots.

We buttoned up our Union blues to join in the fight for our freedom, we’ve railed against injustice for decade upon decade, a lifetime of struggle and progress and enlightenment that we see etched in Frederick Douglass’ mighty leonine gaze.”

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# The Voice

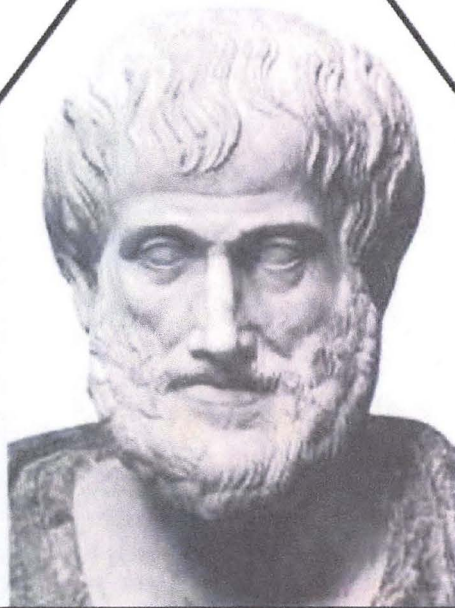
▶ “Lawyers, I suppose  
were children once.”



Ethos

Logos

Pathos



**What, to the American slave, is your 4th of July?**

**I answer;**

**a day that reveals to him,  
more than all other days in the year,  
the gross injustice and cruelty  
to which he is the constant victim.**

**To him, your celebration is a sham;  
your boasted liberty, an unholy license;  
your national greatness, swelling vanity;  
your sounds of rejoicing are empty and heartless;  
your denunciation of tyrants, brass fronted impudence;  
your shouts of liberty and equality, hollow mockery;  
your prayers and hymns,  
your sermons and thankgivings,  
with all your religious parade and solemnity,  
are, to him, mere bombast, fraud, deception,  
impiety, and hypocrisy—  
a thin veil to cover up crimes  
which would disgrace a nation of savages.**

LE THUNDER,  
WITHIN MY SOUL  
TO STAY HERE,  
WAY, SIBAL AWAY.  
"JESUS," CA. 1850

WE NEED THE STORM, THE WHIRLWIND,  
AND THE EARTHQUAKE . . . THE HYPOCRISY OF THE NATION  
MUST BE EXPOSED; AND ITS CRIMES . . . DENOUNCED.  
FREDERICK DOUGLASS 1852

GOD'S TIME IS ALWAYS  
AND HE SET THE  
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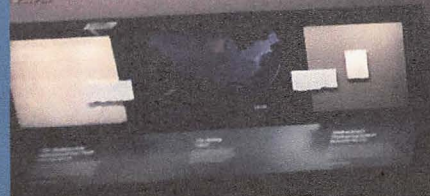
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THE MISSOURI  
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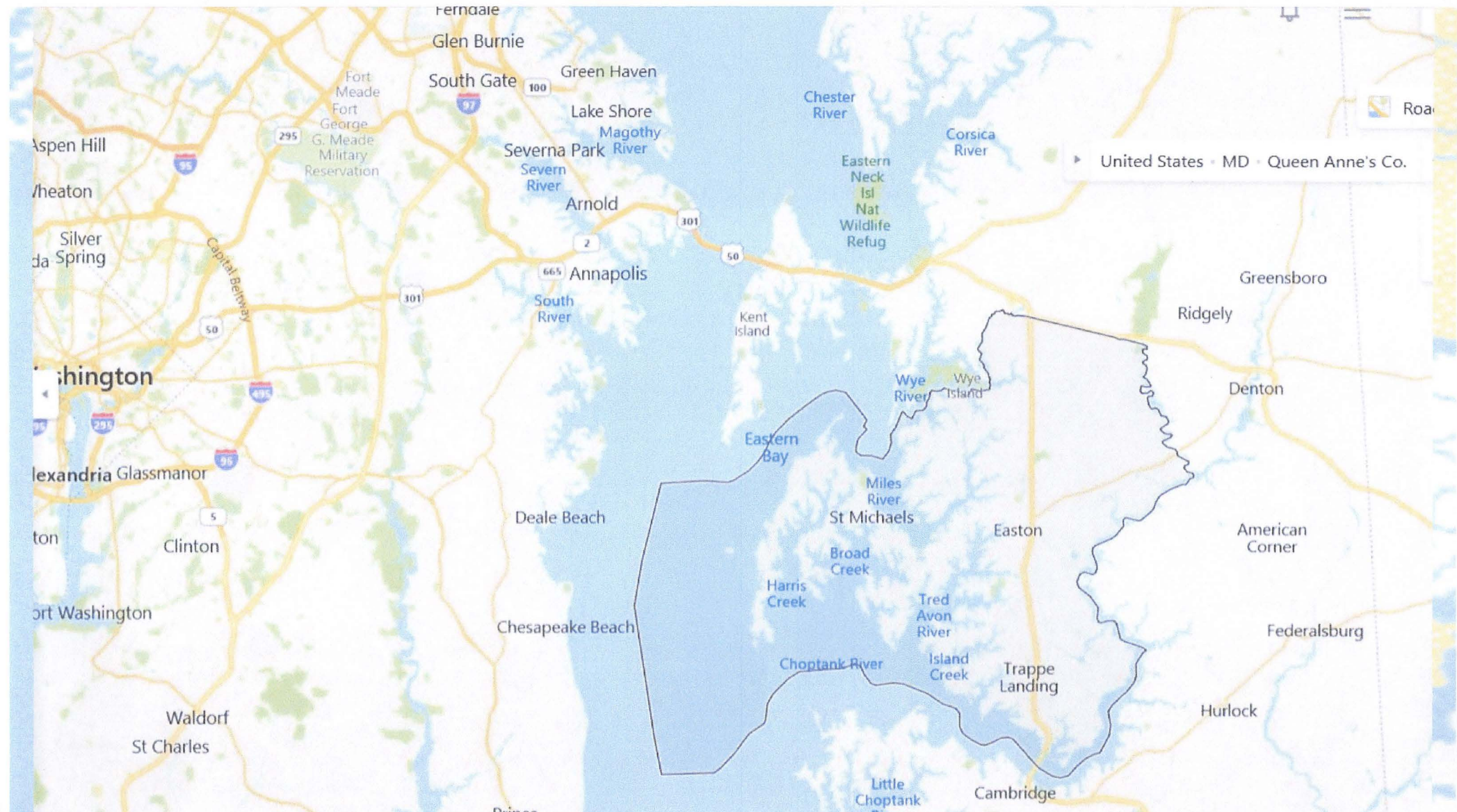
1829  
DAVID WALKER'S  
APPEAL

1850  
THE COMPROMISE  
of 1850

1850  
COLORED CITIZENS  
KULLY

1864  
THE A.A.M.  
NEPHEW





Ferndale

Glen Burnie

South Gate

Green Haven

Lake Shore

Magothy River

Severna Park

Severn River

Arnold

South River

Annapolis

Kent Island

Chester River

Corsica River

Eastern Neck Isl

Nat Wildlife Refug

United States · MD · Queen Anne's Co.

Road

Aspen Hill

Wheaton

Silver Spring

Gaithersburg

Washington

Alexandria

Reston

Port Washington

Waldorf

St Charles

Greensboro

Ridgely

Denton

American Corner

Federsburg

Hurlock

Deale Beach

Chesapeake Beach

Eastern Bay

Miles River

St Michaels

Broad Creek

Harris Creek

Tred Avon River

Island Creek

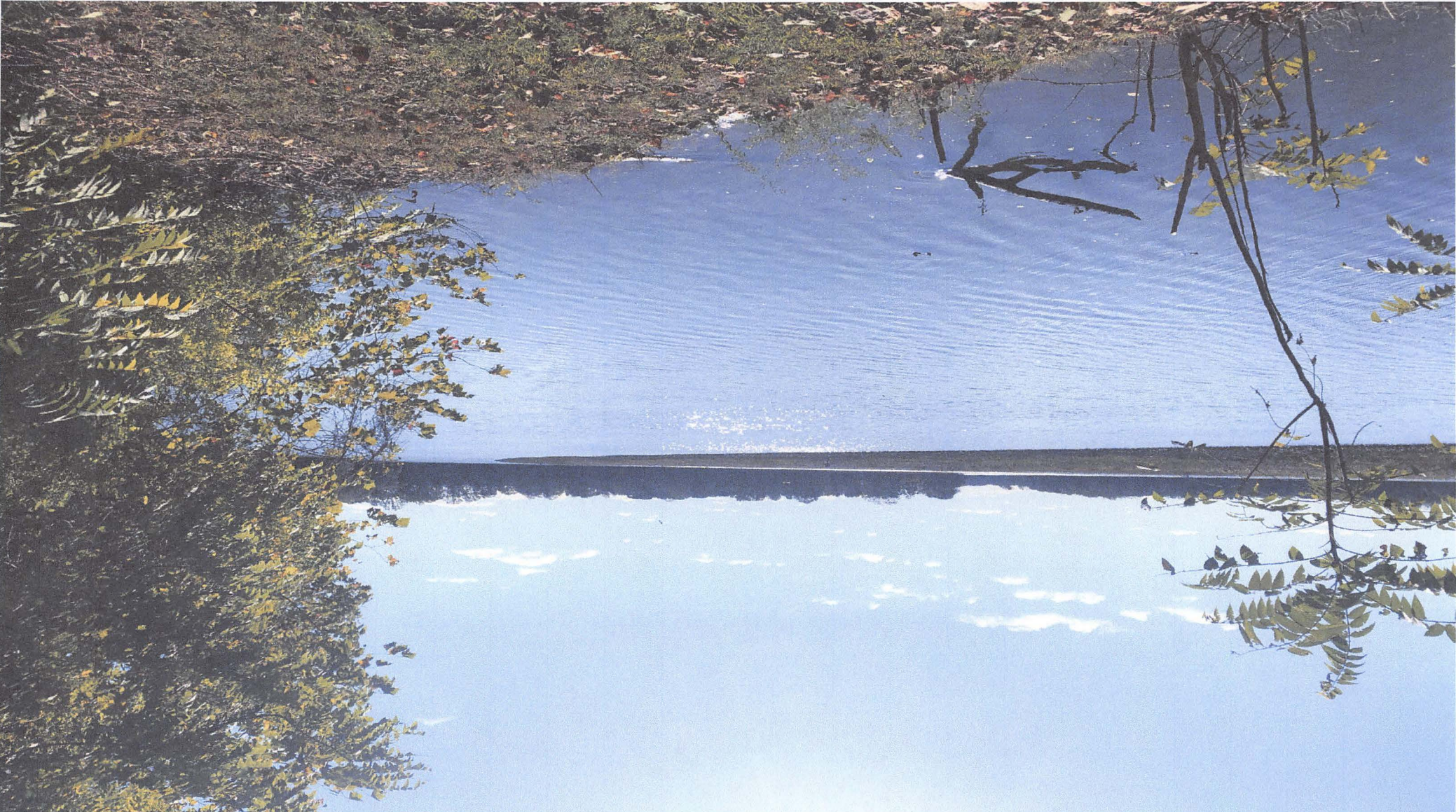
Choptank River

Trappe Landing

Little Choptank

Cambridge





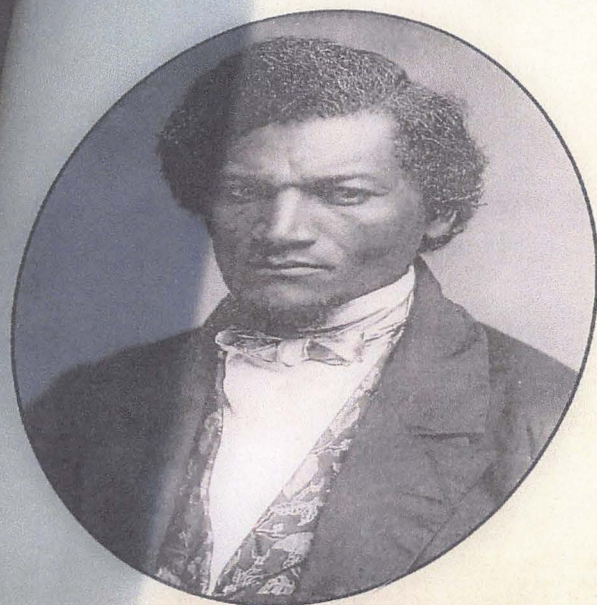




# FREDERICK DOUGLASS



*"Tales of Horror"*



Frederick Douglass began his first autobiography in 1845:  
"I was born in Tuckahoe, near Hillsborough ..."

The anti-slavery movement was a major factor in the regional contention that led to the Civil War. During the 1840s and 1850s, no individual generated greater support in both America and Europe for that movement than Frederick Douglass. His eloquent speeches and writings were uniquely influential because they were based on his personal experiences as a Maryland slave from his birth near Hillsboro in 1818 until his escape from Baltimore in 1838.

Many of Douglass' best known and most notorious descriptions of slave life were based on events in and around Hillsboro. His separation from his mother in 1824 and the division of his family among slaveholders in 1828 occurred 1.5 miles south of Hillsboro on the west side of the Tuckahoe River. Other events occurred just south of Hillsboro on the east side of the Tuckahoe, including the "murder" of his wife's cousin. The brutal beating of Douglass' brother Perry in 1828 by a drunken slaveholder may have occurred in the village of Hillsboro.

These experiences, which Douglass called his "tales of horror," were graphically related in his 1845 and 1855 autobiographies as well as in his prolific essays and speeches. Doubtless, the residents of Douglass' sleepy home town (population 180) would have been shocked to know that the local experiences of a slave child would eventually be related to a worldwide audience and thereby help increase the sectional passions that resulted in the Civil War.



Douglass' wife Anna Murray Douglass and her family were from "Tuckahoe Neck" just south of Hillsboro.



# FREDERICK DOUGLASS PARK ON THE TUCKAHOE

Est. Bicentennial Year 2018

*A Talbot County Recreational Facility*

In Cooperation with  
Maryland Department of Natural Resources Program Open Space  
County Council of Talbot County

*Home of the George C. and Naomi H. Moore Nature Preserve*

## A BOOK INSPIRES HIM

That gem of a book, *The Columbian Orator*, with its eloquent orations and spicy dialogues denouncing oppression and slavery . . . whirled into the ranks of my speech with the aptitude of well-trained soldiers going through the drill. I here [at St. Michael's] began my public speaking.


THE  
BALTIMORE COLLECTION  
OF  
CHURCH MUSIC.

No. 1  
STONHAM C. M.  
7 Bars



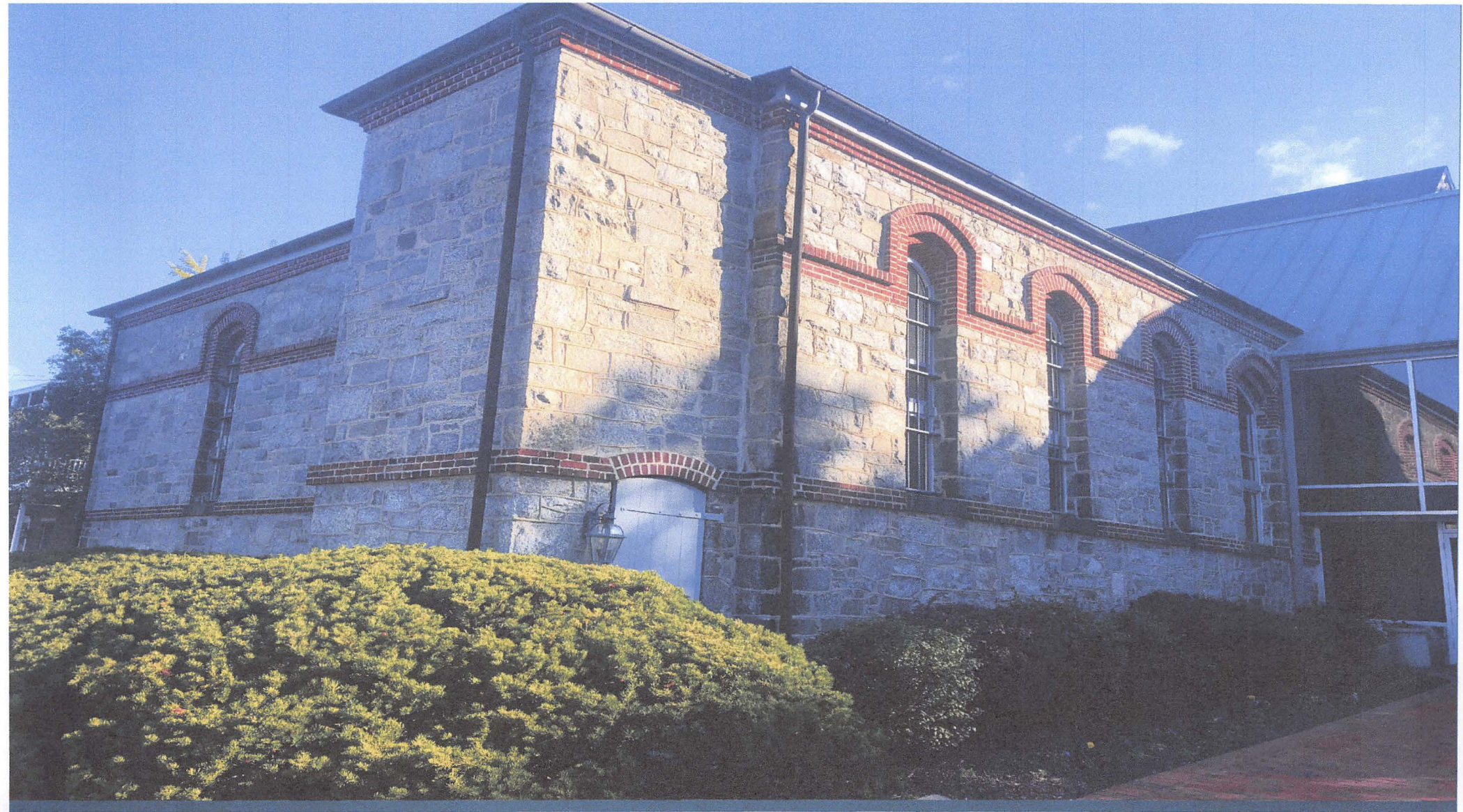
No. 65  
DICK STREET L. W.  
J. H. H. H.

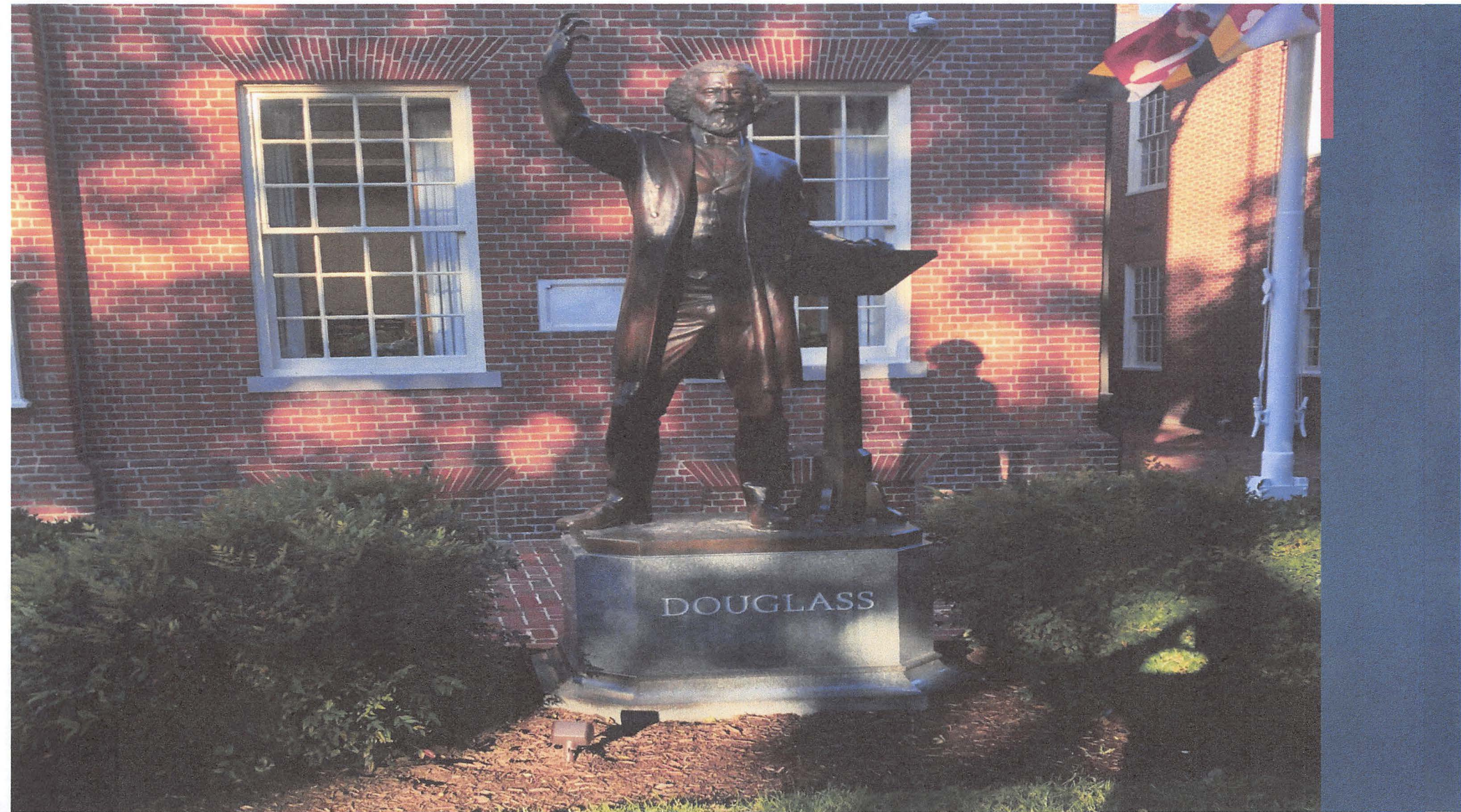
No. 66  
ALBERTON L. M.  
W. H. H. H.



Pages above are from the hymnal shown below







"In a composite nation like ours, as before the law, there should be no rich,  
no poor, no high, no low, no white, no black, but common country,  
common citizenship, equal rights and a common destiny."

## FREDERICK DOUGLASS

1818-1895

United States Marshal · Chargé d'Affaires to the Dominican Republic

Minister to Haiti · Counselor to President Abraham Lincoln

Publisher · Author · Orator · Abolitionist

Slave



FREDERICK DOUGLASS 200  
1818  
2018  
EDUCATE · CELEBRATE · INSPIRE

*"What is possible for me  
is possible for you."*

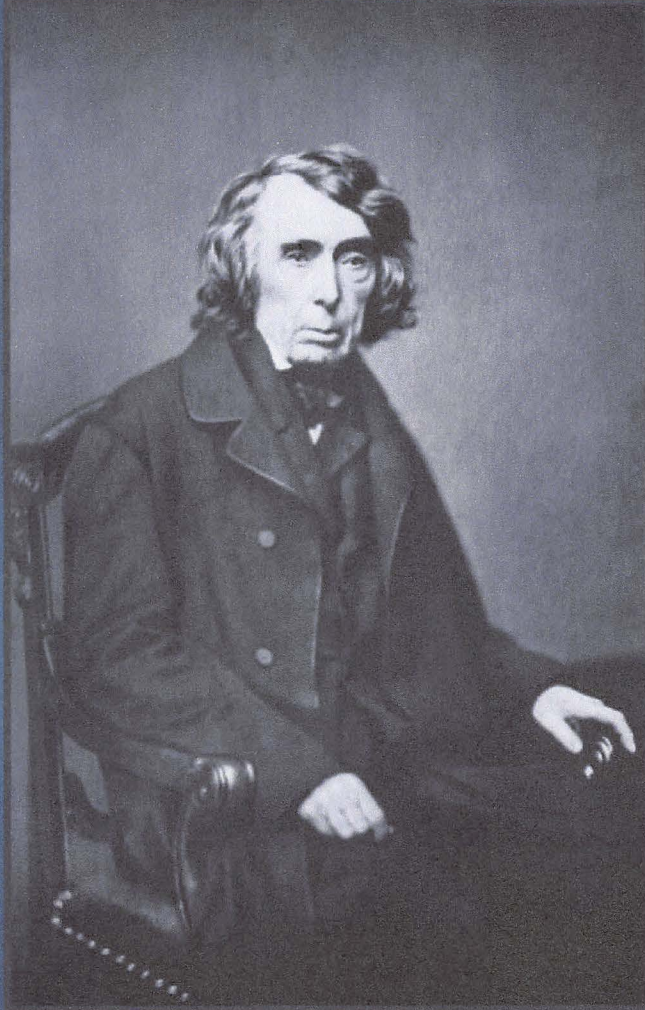






▶ United States Constitution, Article IV, Section 2

No Person held to Service or Labour 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 Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.



NEW-YORK

**NOW READY:  
THE  
Dred Scott Decision.**

**OPINION OF CHIEF-JUSTICE  
ROGER B. TANEY,  
WITH AN INTRODUCTION,  
BY DR. J. H. VAN EVRIE.**

ALSO,  
AN APPENDIX,

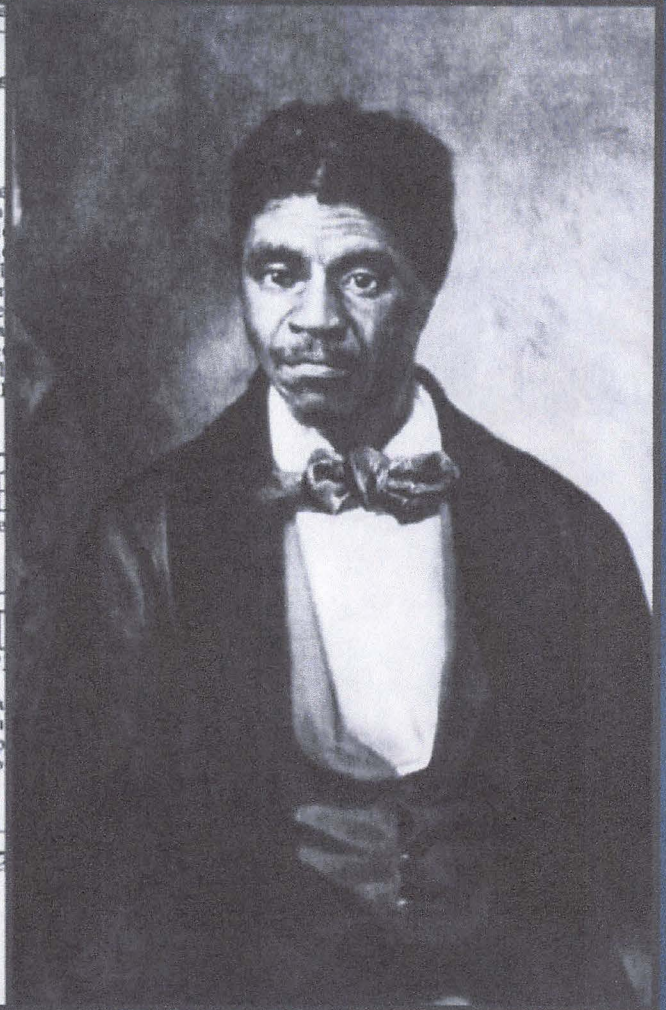
BY SAM. A. CARTWRIGHT, M.D., of New Orleans,

ENTITLED,

**"Natural History of the Prognathous  
Race of Mankind."**

ORIGINALLY WRITTEN FOR THE NEW YORK DAY-BOOK.

THE GREAT WANT OF A BRIEF PAMPHLET, containing the famous decision of Chief-Justice Taney, in the celebrated Dred Scott Case, has induced the Publishers of the DAY-BOOK to present this edition to the public. It contains a Historical Introduction by Dr. Van Evrie, author of "Negroes and Negro Slavery," and an Appendix by Dr. Cartwright, of New Orleans, in which the physical differences between the negro and the white races are forcibly presented. As a whole, this pamphlet gives the *historical, legal, and physical* aspects of the "Slavery" Question in a concise compass, and should be circulated by thousands before the next presidential election. All who desire to answer the arguments of the abolitionists should read it. In order to place it before the masses, and induce Democratic Clubs, Democratic Town Committees, and all interested in the cause, to order it for distribution, it has been put down at the fol-





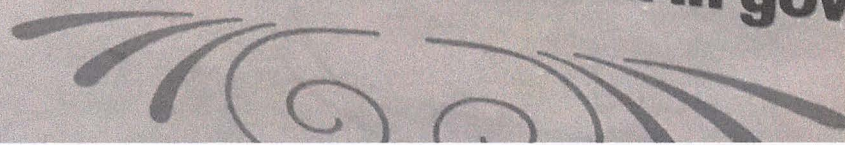
No, I make no pretensions to patriotism  
So long as my arms are in blood  
on this or the other side of the Atlantic,  
I will fight as American  
to the lightning arms of equal indignation  
to every side. I shall not shrink  
abandoning the duty of to those quarters  
the law is a law of the country  
who believe and die to maintain the law.

Though slavery was abolished,  
the wrongs of my people were not ended,  
though their arms were raised,  
they were not yet free from  
the shackles of their chains. Liberty is dependent  
on the people, looking, what action of officers,  
they should receive in the new hands  
of the people, and the  
of the people, and the  
of the people.

**Thoughts for all time...**

**Frederick Douglass**

**It was a great thing for the friends of peace  
to organize in opposition to war;  
it was a great thing for the friends of temperance  
to organize against intemperance;  
it was a great thing for humane people to organize  
in opposition to slavery;  
but it was a much greater thing ...  
for woman to organize herself in opposition  
to her exclusion from participation in government.**



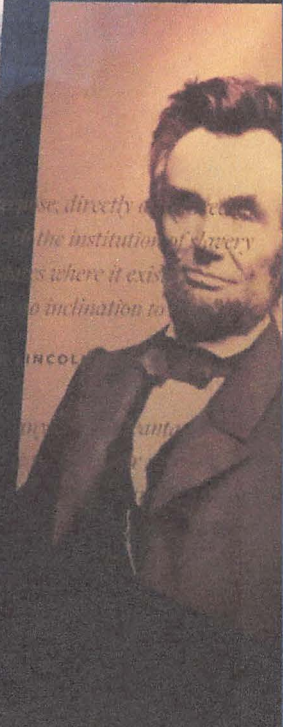
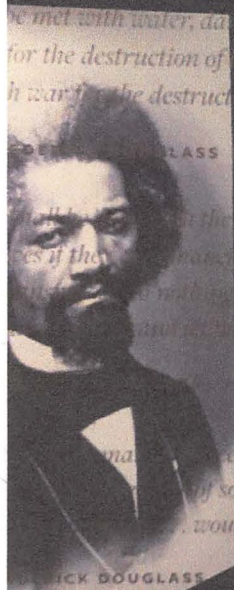
**When I ran away from slavery,  
it was for myself;  
when I advocated emancipation,  
it was for my people;  
but when I stood up for the rights of woman,  
self was out of the question.**



**I have stood  
on each side of Mason and Dixon's line;  
I have endured the frightful horrors of slavery,  
and have enjoyed the blessings of freedom.  
I can enter fully into the sorrows of the bondman  
and the blessings of freemen.  
I am one of yourselves,  
enduring daily the proscription  
and confronting the tide of malignant prejudice  
by which the free colored man of the North  
is continually and universally opposed.**



# President Abraham Lincoln & Frederick Douglass



# Shaping the Debate

*Frederick Douglass  
and Abraham Lincoln*

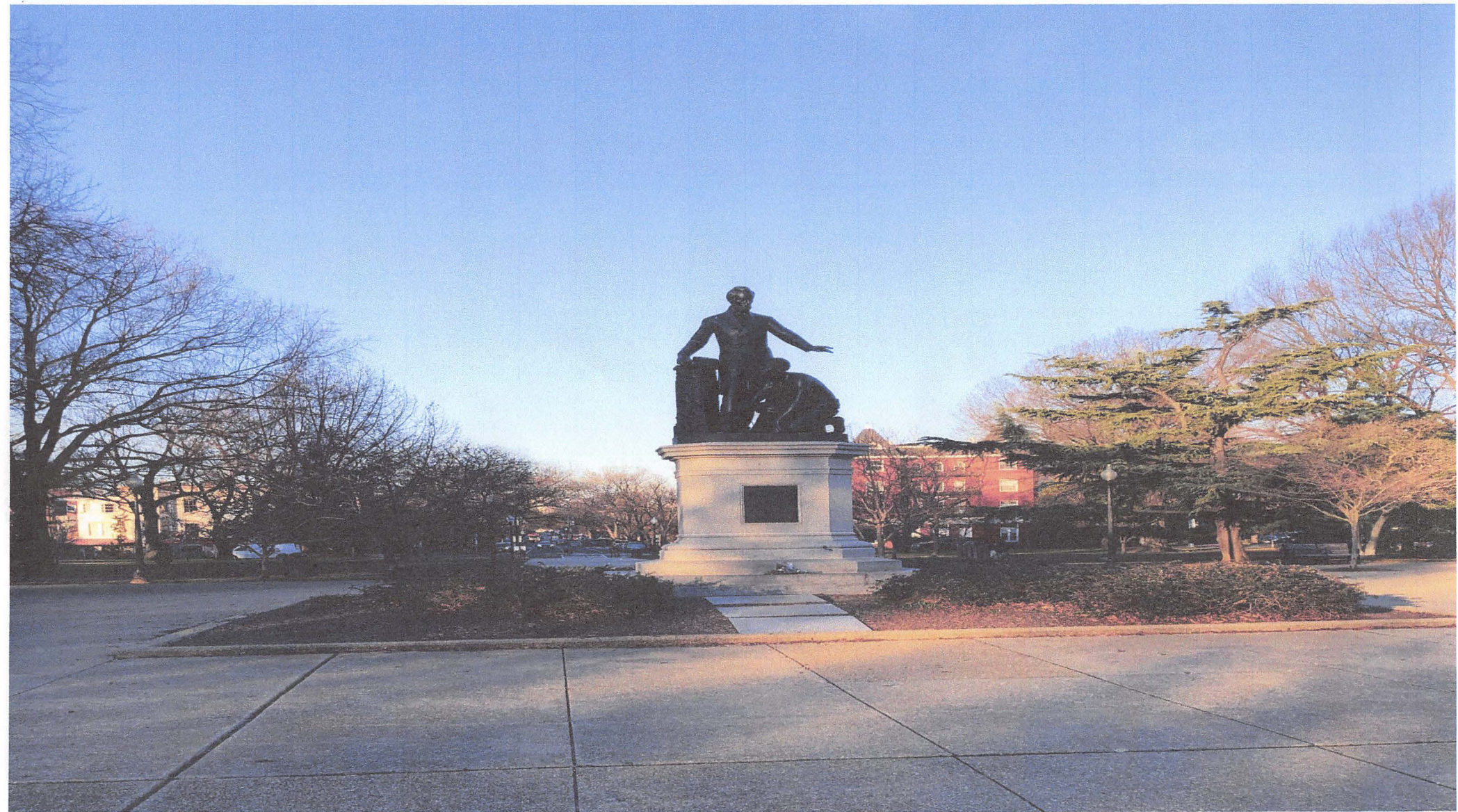
## Douglass

African Americans changed the course of the Civil War by engaging President Lincoln in an ongoing debate. Frederick Douglass used his renowned oratory and his position as an abolitionist leader to demand that the president take action: first, to use his position as commander-in-chief to end slavery; second, to enlist African Americans in a "Liberating Army"; and third, to grant citizenship to African Americans. Lincoln took action but wavered on the issue of citizenship.

## Abraham

Abraham Lincoln (1809-1864)  
He believed that slavery gave too much power in the hands of a few. He was uncertain that African Americans should be granted citizenship. Lincoln believed that people and nations should be free. But his relationship with Douglass began to speak in favor of African American equality.







AND UPON THIS ACT  
SINCERELY BELIEVED TO BE AN ACT OF JUSTICE  
WARRANTED BY THE CONSTITUTION  
UPON MILITARY NECESSITY

I INVOKE  
THE CONSIDERATE JUDGEMENT OF MANKIND  
AND  
THE GRACIOUS FAVOR OF ALMIGHTY GOD

A. LINCOLN EMANCIPATION

PROCLAMATION JANY. 1. 1863

WESTERN SANITARY COMMISSION

JAMES E. YEATMAN PRESIDENT

C. S. CREELEY TREAS.

GEO. PARTRIDGE

*You say you have emancipated us. You have and  
I thank you for it. But what is your emancipation?  
But when You turned us loose, you gave us no acres.*

*You turned us loose to the sky, to the storm,  
to the whirlwind, and, worst, of all you turned us  
loose to the wrath of our infuriated masters.*

**FREDERICK DOUGLASS 1876**

